

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

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LENORA MOUNTAIN, :
 :
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 Plaintiff, :
 :
 v. :Case No.:
 :
 EMIRATES, INC., :1-23-cv-22188-BB
 :
 :
 Defendant. :
-----X

Deposition of LENORA MOUNTAIN, taken via
Zoom Videoconference, commencing on Wednesday,
October 18, 2023, at 10:00 a.m., reported by
Sydney Crawford, Shorthand Reporter and Notary
Public in the State of Florida.

Reported by: Sydney Crawford

<p style="text-align: right;">2</p> <p style="text-align: center;">A P P E A R A N C E S</p> <p>ON BEHALF OF PLAINTIFF, LENORA MOUNTAIN:</p> <p style="padding-left: 40px;">HECTOR JAMES MONTALVO Rasco Klock Perez & Nieto, P.L. 2555 Ponce de Leon Boulevard Suite 600 Coral Gables, Florida 33134</p> <p>ON BEHALF OF DEFENDANT, EMIRATES, INC.:</p> <p style="padding-left: 40px;">CLAY THORNTON, ESQUIRE CLYDE & CO US LLP 1221 Brickell Avenue Suite 1600 Miami, Florida 33131</p>	<p style="text-align: right;">4</p> <p style="text-align: center;">P R O C E E D I N G S</p> <p>1 WHEREUPON, 2 3 LENORA MOUNTAIN, 4 having duly been sworn to tell the truth, the 5 whole truth and nothing but the truth, testifies 6 as follows: 7 8 EXAMINATION 9 BY MR. THORNTON: 10 Q Ms. Mountain, can you please state your 11 full name for the record? 12 A My name is Lenora Jean Mountain. 13 Q Have you ever had your deposition taken 14 before? 15 A No, I have not. 16 Q Okay. Well, a deposition, your counsel 17 may have explained this to you, but it's basically 18 a question-and-answer session. As you can see, 19 you know, we've got counsel on the Zoom here, and 20 you've got a court reporter taking down everything 21 that's being said. Because we have that court 22 reporter typing down -- everything down, there's a 23 couple of rules. We like to establish before we 24 begin. The first is that I ask that you try to 25 refrain from using any nonverbal communication.</p>																		
<p style="text-align: right;">3</p> <p style="text-align: center;">C O N T E N T</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 80%;">EXAMINATION OF LENORA MOUNTAIN</td> <td style="width: 20%; text-align: right;">PAGE</td> </tr> <tr> <td>By Mr. Thornton</td> <td style="text-align: right;">4</td> </tr> </table> <p style="text-align: center;">E X H I B I T S</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 80%;">MOUNTAIN DEPOSITION EXHIBIT</td> <td style="width: 20%; text-align: right;">PAGE</td> </tr> <tr> <td>Exhibit 1 Tauk Tour Itinerary</td> <td style="text-align: right;">50</td> </tr> <tr> <td>Exhibit 2 Answers to Interrogatories</td> <td style="text-align: right;">61</td> </tr> <tr> <td>Exhibit 3 Complaint</td> <td style="text-align: right;">63</td> </tr> <tr> <td>Exhibit 4 Husband Statement</td> <td style="text-align: right;">79</td> </tr> <tr> <td>Exhibit 5 Dr. Lubit Report</td> <td style="text-align: right;">96</td> </tr> <tr> <td>Exhibit 6 Photographs</td> <td style="text-align: right;">130</td> </tr> </table> <p style="padding-left: 40px;">(Attached to Transcript.)</p>	EXAMINATION OF LENORA MOUNTAIN	PAGE	By Mr. Thornton	4	MOUNTAIN DEPOSITION EXHIBIT	PAGE	Exhibit 1 Tauk Tour Itinerary	50	Exhibit 2 Answers to Interrogatories	61	Exhibit 3 Complaint	63	Exhibit 4 Husband Statement	79	Exhibit 5 Dr. Lubit Report	96	Exhibit 6 Photographs	130	<p style="text-align: right;">5</p> <p>1 In other words, no nods or shakes of the head, 2 because that can't easily be written down. If you 3 do want to use any, you know, nonverbal 4 communication, like, if you're approximating 5 something with your hands, you can do so, but I 6 just ask that you accompany it with a description 7 of what you're doing so it can be written down; 8 does that make sense? 9 A Yes. Thank you. 10 Q All right. The next rule is that if at 11 any point you don't understand any of my 12 questions, let me know, and I will repeat it or 13 try and rephrase it so that you understand it. 14 If, however, you respond to a question, I'll take 15 that to mean that you understood it and are 16 responding to it; is that fair? 17 A That's fair. 18 Q Finally, I ask that you let me finish 19 any of my questions before you move on to a 20 response, and I'll return the same courtesy, let 21 you finish your response before moving on to the 22 next question; is that fair? 23 A I'll try. 24 Q I know it can be difficult at times. 25 Sometimes if you --</p>
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<p style="text-align: right;">6</p> <p>1 A Yeah.</p> <p>2 Q -- get conversational, see, like, right</p> <p>3 there, when we both speak at the same time, it</p> <p>4 just becomes very difficult for them to write</p> <p>5 down.</p> <p>6 A I understand.</p> <p>7 Q Okay. And lastly, you know, this isn't</p> <p>8 a test of endurance. If you want to take a break</p> <p>9 at any point, just let us know, and we can do so.</p> <p>10 I only ask that you -- if there's any pending</p> <p>11 question, just answer that question first before,</p> <p>12 you know, going on a break.</p> <p>13 A Okay.</p> <p>14 Q Are you taking any medication today?</p> <p>15 A Today, I'm -- I'm taking three</p> <p>16 prescription medications. One is a diuretic, one</p> <p>17 is a blood pressure pill, and the other is a</p> <p>18 statin for cholesterol. All are very low dosage.</p> <p>19 The medication for blood pressure was just issued</p> <p>20 to me. That is a new prescription from the end of</p> <p>21 August.</p> <p>22 Q Okay. Are you taking any pain</p> <p>23 medication?</p> <p>24 A No, I'm not.</p> <p>25 Q Are you taking any medication for</p>	<p style="text-align: right;">8</p> <p>1 any other documents other than the Lubit report,</p> <p>2 your husband's testimony sheet, and the answers to</p> <p>3 interrogatories?</p> <p>4 A No, I did not, no.</p> <p>5 Q Did you do anything else to prepare for</p> <p>6 today's depo?</p> <p>7 A Tried to get a good night's sleep,</p> <p>8 relax, but that's about it.</p> <p>9 Q Tried to do the same. Are you a citizen</p> <p>10 of the U.S.?</p> <p>11 A No, I am not.</p> <p>12 Q Where were you born?</p> <p>13 A I was born in Ontario, Canada.</p> <p>14 Q And I know you provided your address</p> <p>15 earlier, but I believe that was before we were on</p> <p>16 the record. What's your current address?</p> <p>17 A My current address is 2843 Road 134 1st</p> <p>18 South RR, Number Seven, St. Mary's, Ontario, N4X</p> <p>19 1C9 Canada.</p> <p>20 Q Okay. And how long have you been living</p> <p>21 there?</p> <p>22 A In this particular home, we've been</p> <p>23 residing here since 1989, and it was the home that</p> <p>24 we moved here from London, Ontario, 30 miles away</p> <p>25 in 1972 and sold to with right of first refusal in</p>
<p style="text-align: right;">7</p> <p>1 anxiety or depression?</p> <p>2 A No, I am not.</p> <p>3 Q Are you taking anything that would</p> <p>4 prevent you from being able to offer any testimony</p> <p>5 today?</p> <p>6 A No, I am not.</p> <p>7 Q Okay. Did you review any documents to</p> <p>8 prepare for today's deposition?</p> <p>9 A I did.</p> <p>10 Q What did you review?</p> <p>11 A I reviewed Dr. Lubit's report. I</p> <p>12 reviewed my husband's testimony. I reviewed my</p> <p>13 responses to your firm's questionnaire.</p> <p>14 Q Okay. And when you say your</p> <p>15 "responses," you're referring to your answers to</p> <p>16 interrogatories?</p> <p>17 A I don't understand that.</p> <p>18 Q Okay. And when you say your husband's</p> <p>19 testimony, are you referring to the -- the typed</p> <p>20 statement that your husband provided and that was</p> <p>21 produced in this case?</p> <p>22 A Yes, I did. Yes, it is. Yes.</p> <p>23 Q Okay. What is your date of birth?</p> <p>24 A My date of birth is July the 20th, 1948.</p> <p>25 Q Sorry, let me go back. Did you review</p>	<p style="text-align: right;">9</p> <p>1 1979, returned to it in 1989.</p> <p>2 Q Okay. Who lives there with you?</p> <p>3 A My husband. And on the property, our</p> <p>4 son has just moved into our guest house. Our son</p> <p>5 and his wife have moved into the condo apartment,</p> <p>6 guest house in our outbuilding, which we call the</p> <p>7 barn.</p> <p>8 Q How long ago did he move in?</p> <p>9 A I'm sorry, I didn't hear that.</p> <p>10 Q How long ago did your son and his wife</p> <p>11 move in?</p> <p>12 A Last July.</p> <p>13 Q July 2022?</p> <p>14 A Yes, that's correct.</p> <p>15 Q And I presume, since you've been living</p> <p>16 there since 1989, that was where you were living</p> <p>17 at the time of the incident?</p> <p>18 A Yes.</p> <p>19 Q Were you just living there with your</p> <p>20 husband at or around the time of the incident?</p> <p>21 A Yes.</p> <p>22 Q What type of home is it?</p> <p>23 A It's a single-story home of about 2,500</p> <p>24 square feet on 31-acres of land with several</p> <p>25 outbuildings. It is stone construction. It</p>

<p style="text-align: right;">10</p> <p>1 has -- my husband and I live on the main floor 2 where our bedroom and living room, kitchen, dining 3 room, everything is. We have done several 4 renovations over the years on it. And it's 5 something that we expanded from a small home that 6 we moved here years ago. 7 Q Well, 35 acres of land, that must be 8 quite a -- quite a bear to maintain? 9 A Well, we rent the land during the 10 summer. We work at -- we have 5 acres of lawns 11 and gardens around the house, and my husband 12 has -- across the road is a -- was a scrub field 13 that my husband developed into a beautiful park 14 because when we walk out the front door, we would 15 see scrublands, so he's planted grass, trees, 16 flowers, that it's visual for us when we walk out 17 the front door, and the neighborhood uses it as a 18 park for weddings and et cetera. 19 Q Do you help him at all in any of the 20 plant -- do you garden, I guess? 21 A I do all the planters in the spring. I 22 plant all of the annual flowers, I assist with 23 weeding. I have a small vegetable garden that I 24 look after. So, yes, I do work outside and with 25 my husband. It's not only a blue job.</p>	<p style="text-align: right;">12</p> <p>1 A That is my only marriage. 2 Q Well, congratulations, then. That's 3 quite an impressive marriage. 4 A Thank you. 5 Q Do you provide any financial support to 6 your husband? 7 A When we first got married, I was 17, he 8 was 19, and he came along with a lot of bills, 9 insurance bills from cars, damaged cars, and so on 10 and so forth, but we worked together, and we each 11 shared financial support back and forth. 12 Q And you -- I'm sorry, let me just ask a 13 few more questions. When you say you "shared 14 financial support," do you mean that you just sort 15 of, I guess, collectively group your income? 16 You're not specifically providing him any 17 financial support? 18 A That's correct. We have joint bank 19 accounts, everything is joined. 20 Q Okay. 21 A We have no individual bank accounts. At 22 least, he hasn't told me of any individual, and I 23 know I haven't. 24 Q You mentioned one son. How many kids do 25 you have?</p>
<p style="text-align: right;">11</p> <p>1 Q We refer to the same thing, my fiance 2 and I. Has that -- has your ability to do all 3 that gardening, you know, the weeding, has that 4 changed at all as a result of the incident for 5 which you brought this lawsuit? 6 A It's a diversion for it. I don't do as 7 much anymore, but I do -- I do most of it or all 8 of it or we have assistance, but most of it is 9 done by me. 10 Q Have any modifications been made to your 11 home since the date of the incident? 12 A Not to the actual home -- well, to the 13 interior, we've just added a hot tub. The other 14 day our hot tub was leaking. We have an interior 15 hot tub, so it was leaking and we replaced that. 16 Q Are you -- do you claim that any of 17 these modifications were as a result of the 18 incident that is the subject of this lawsuit? 19 A No. None of them. 20 Q And you are currently married; correct? 21 A I am currently married, yes. 22 Q When did you get married? 23 A I got married on November the 13th, 24 1965. 25 Q Is that your only marriage?</p>	<p style="text-align: right;">13</p> <p>1 A We have two children, both live within 2 our -- our daughter lives within 5 miles of us, 3 and my son, as I've mentioned, and his wife live 4 on the property now. Our -- we have four 5 grandchildren: three boys and a girl. All over 6 the age of 20, and we have two wonderful great 7 grandchildren: two and a half and seven months 8 old. 9 Q Okay. Let me ask a few questions about 10 your children. What is your son's name? 11 A My son's name is David John Mountain. 12 Q And what is his date of birth? 13 A His date of birth is April the 6th, 14 1966. 15 Q And Mr. Mountain is the biological 16 father of both children? 17 A Yes, he is. 18 Q Okay. I apologize in advance if any of 19 my questions appear to be rude, I'm not trying to, 20 by any means. I just want to make sure we all 21 understand. 22 A I -- I -- at 17, you don't do much 23 exploring, thank you. Back in 1965, no. 24 Q And your son, David John Mountain, he 25 lives with you on the property; right?</p>

<p style="text-align: right;">14</p> <p>1 A Yes, he does. Not in the main house, 2 in -- in a separate building. 3 Q And what does he do for a living? 4 A He works for Bell Media, he's an IT 5 specialist for Bell Media. He's been with them 6 for, I think, 24, 25 years. He is set to retire 7 April the 6th of 2024. 8 Q Congratulations, ma'am. 9 A Yeah. 10 Q And he is married; correct? 11 A He is married to Robin, yes. 12 Q And does he have children? I know 13 you've mentioned you have four grandchildren. Are 14 any of them his -- excuse me, four children, 15 excuse me, grandchildren? 16 A Yeah. He has two boys, yes. They are 17 the two youngest grandchildren. 18 Q Okay. And the two boys, they also live 19 with him in that separate building on the 20 property? 21 A No. Our -- his eldest son lives in 22 Stratford, which is 12 miles away, and his 23 youngest son is third year at the University of 24 Guelph, which is about a 40-minute drive from 25 here.</p>	<p style="text-align: right;">16</p> <p>1 Q And do you see -- I guess, you see your 2 son John very often? 3 A David -- David John. We call him DJ. 4 Q Okay. I presume you see DJ a fair 5 amount since he's on the property there; right? 6 A Most days, yes. We, you know, converse 7 back and forth or if he's getting in his vehicle 8 to go somewhere or I'm outside working. Yep, I 9 see both of them most days. They also assist when 10 we travel. They look after our little dog. 11 Q Okay. And what about his -- his two 12 boys, do you see them often? 13 A Only on the weekends, if they're home 14 and unless we meet his eldest in Stratford for a 15 meal, and the youngest would come home from 16 university probably every second or third week, 17 and I will see him occasionally. 18 Q Okay. And what about Karen, do you see 19 her often? 20 A I spent the day on Monday with her, yes. 21 I -- she's away most weekends at her cottage, but 22 during the week, we see them. They have a factory 23 in St. Mary's that she and her husband run, and 24 we're back and forth there quite often. We own 25 the building that the factory is in, so, yes,</p>
<p style="text-align: right;">15</p> <p>1 Q And are either of them the ones with the 2 great grandchildren? 3 A No. They're not, no. 4 Q Okay. 5 A No, neither are married. 6 Q Okay. 7 A Not that that makes any difference 8 anymore. 9 Q And what about your -- your daughter? 10 A Our daughter has two children. She has 11 a daughter. She is 29 years old. She's married 12 and has the two great grandchildren, a son and a 13 daughter, and our daughter's youngest lives in St. 14 Mary's, which is 5 miles away, and he is a 15 professional engineer, working in the company that 16 our daughter and her husband run. 17 Q And what's your daughter's name? I 18 don't know if I got that. 19 A Our daughter's name is Karen. 20 Q Is that Mountain? 21 A No. She's Karen Michelle McGinnis. 22 Q And what is her date of birth? 23 A Her date of birth is February the 8th, 24 1967. Yes, we were very busy after we got 25 married.</p>	<p style="text-align: right;">17</p> <p>1 we're -- we're interactive with them. 2 Q Okay. And what about her -- her two 3 children, how often do you see them? 4 A Well, their son now works at the 5 factory, so when we're in there, and quite often 6 our grandson will come out to visit with his 7 girlfriend and our daughter -- our granddaughter, 8 we -- my daughter and I were visiting her and 9 babysitting the grandchildren on Monday. 10 Q Okay. 11 A At least the granddaughter. The 12 grandson -- great grandson was at daycare. 13 Q Okay. Has this instance a how often you 14 see your family, your relationship with your 15 family at all incident? 16 A If -- if anything, it's -- it's 17 brought [sic] me closer to my family. It -- I 18 feel like I need to envelope them around me. 19 Q I'm going to switch gears a bit and 20 just -- should be able to go through this somewhat 21 quickly, but what's your highest level of 22 education? 23 A I went to grade 11 in high school, got 24 married, and then once the children were in 25 school, I proceeded to take accounting degrees for</p>

<p style="text-align: right;">18</p> <p>1 the equivalent of your CPA degree and got as far 2 as the fourth level out of five into that and then 3 we'd moved to Quebec where I was going to be 4 forced to take my classes in French, and I don't 5 speak French. We moved to Quebec because we 6 bought a business in Quebec and operated it for 10 7 years. 8 Q What business was that? 9 A It was called Dudley Locks. It was the 10 combination padlocks for high school lockers. 11 Well, for school lockers, gym lockers. It was the 12 equivalent of the -- the, against Master Lock, we 13 had 95 percent of the Canadian school market which 14 Master Lock desperately wanted. 15 Q I think I picked up someone else 16 speaking just now? Is there someone else in the 17 room with you? 18 A My husband is sitting at the end of the 19 table, yes. 20 Q Okay. That's fine. I just want to ask 21 that he not speak to you or give you any testimony 22 that you might be providing. I'm not going to try 23 to sequester or anything, but I just want to make 24 sure that your answers are yours alone. 25 A Yes.</p>	<p style="text-align: right;">20</p> <p>1 A Other than -- other than Saint John's 2 ambulance courses or anything that were necessary 3 when we went sailing because we were on our own to 4 look after our own health. 5 Q What's involved in the Saint John's? Is 6 it Saint John's ambulance? 7 A Yes, it is. Yes. It's just a -- an 8 emergency to kind of giving, if someone has a 9 heart attack, how do you revive them? If I see 10 symptoms of a stroke. If someone is cut, what 11 should you do to stop the bleeding and, you know, 12 that -- that kind of thing, broken arm, how you, 13 how you manage that. Which all can happen on a 14 sailboat when you're in the middle of nowhere. 15 Q Sure. Do you -- did you receive any 16 sort of diploma or certificate when you took that 17 course? 18 A Just a general certificate, yes. 19 Q How long was that course? 20 A Oh, it was only, like, a weekend kind of 21 thing or two weekends. We have not been sailing 22 for 10 years, and we sailed for 10 years, so other 23 than that, you know, taking my CYA courses, 24 sailing certificate, I have my captain's 25 certificate from sailplane. Taken sailing</p>
<p style="text-align: right;">19</p> <p>1 Q Okay. And other than the accounting 2 degrees, did you go to any other technical schools 3 or any other schooling? 4 A I went to Western and took a couple of 5 sociology courses, which I found very interesting. 6 That was before I had taken -- started into the 7 accounting courses, but the accounting courses, I 8 had gone through high school and did quite well at 9 accounting, so that was my forte. 10 Q Okay. And all this schooling, was this 11 in Canada? 12 A Yes. 13 Q Do you have any background or experience 14 in the military? 15 A No. 16 Q Do you have any background or experience 17 in the airline industry? 18 A No. 19 Q Do you have any background or experience 20 in nursing? 21 A I nursed my husband after he had his 22 prostate operation. That is all. 23 Q But no formal training or any actual -- 24 A No. 25 Q -- job experience in nursing; correct?</p>	<p style="text-align: right;">21</p> <p>1 lessons, that kind of thing. 2 Q And when did you do this ten-year ending 3 trip? 4 A From 1996 until 2006. 5 Q And what type of boat was it, how large 6 was it? 7 A It was a 43 on deck, 53 overall. It was 8 a Gozzard sailing yacht that was built 30 miles 9 from us here in Canada, and we sailed it in the 10 Great Lakes and then took it to the Caribbean for 11 the balance of the time. 12 Q How many helms are there? 13 A One helm. 14 Q And was it just you and your husband? 15 A The first time offshore because we have 16 never sailed the Atlantic before -- I've never 17 gone offshore other than the Great Lakes -- we had 18 two crew with us, but after that, no, we were on 19 our own completely. 20 Q And how long of the 10 years were the 21 two crew members with you? 22 A Oh, just for the trip from Hampton, 23 Virginia to Tortola. We left, I believe it was 24 the beginning of November, and we arrived, like, 25 10 days later, yeah.</p>

<p style="text-align: right;">22</p> <p>1 Q And of the 10 years, how long was spent 2 in the Great Lakes? 3 A Just two seasons, two summer seasons, 4 1996 and 1997. 5 Q And then from '97 to 2006, you were in 6 the Caribbean? 7 A Yes, we were. We took -- brought the 8 boat back. We circumnavigated the Caribbean Sea 9 and brought the boat back to the Tampa area, St. 10 Petersburg and had it shipped back to Canada. 11 That was in April of 2001 and then we -- and we -- 12 and that September, immediately after 9/11, we had 13 the boat shipped back up to Annapolis, Maryland, 14 and left again for the Caribbean from -- we sailed 15 it down through the intercoastal to Beaufort and 16 went offshore from Beaufort to Bermuda and then 17 again down to Tortola and started our journey 18 again. 19 Q Do you know, approximately, how many 20 cities you might have stayed in during your trip? 21 A Oh -- there were, no. I don't know how 22 many cities. I know we visited -- we sailed 23 19,000 miles and I can't recall how many countries 24 between and protectorates that we were in, but we 25 visited quite a number. I mean, we were down the</p>	<p style="text-align: right;">24</p> <p>1 all kinds of things that -- I mean, we ate, just 2 as well as we do today. 3 Q Did you do any fishing yourself? 4 A My husband was the fisherman, but you 5 know, I handled the boat while he cleaned the 6 fish. 7 Q Got it. Okay. Do you still have that 8 yacht? 9 A No. We don't, no. The yacht was 10 getting older, we were getting older, so we 11 decided to become landowners. 12 Q When, about, did you sell the yacht? 13 A We sold it, like, four days after we put 14 it up for sale and it sold in 20- -- January -- 15 no. I can't remember what month it was in 2006. 16 Q Do you have any other boats, or do you 17 go boating at all since 2006? 18 A No. Just only when we're going to our 19 daughter's cottage, and we go out on our picnic 20 boat. That's the only time that we -- our son has 21 just bought a powerboat. I have not been out -- 22 out of the harbor on it. We thought about 23 continuing sailing or getting a motor yacht of 24 some sort, but we never really -- never interested 25 us. We've been there, done that. Let's get on</p>
<p style="text-align: right;">23</p> <p>1 chain of islands, all the way down to Trinidad, 2 across to Venezuela for the ABCs the out islands 3 of Venezuela, and into Cartagena, Colombia, to 4 Panama, the San Blas Islands, up to Nicaragua, 5 Honduras, Mexico, Guatemala. We had a wonderful, 6 wonderful time. 7 Q That's amazing. During that time, I 8 mean, would you always stop at ports and eat, or 9 were you eating out there on the ocean or, you 10 know, how did you... 11 A No. When you sail from, say, Aruba, 12 with -- when you leave Aruba or you leave 13 Venezuela or you go to the out islands, you are 14 two, three, days, and the longest we were out 15 without seeing land of any sort was probably 16 seven, eight days, so, no, you don't -- you can 17 cook on board, you do three hours on, three hours 18 off. Adjust the sails yourself. You know, you're 19 sailing along and get your own weather reports, 20 you plan your trip. 21 Q Would you -- would you pack food for the 22 seven or eight days, or were you guys fishing out 23 there? 24 A Oh, we were fishing, yes. Yes, we were 25 fishing. We have food stores, you know, we've --</p>	<p style="text-align: right;">25</p> <p>1 with the next adventure. 2 Q Okay. So this incident hasn't affected 3 your interest or ability to go boating or fishing 4 or yachting or anything like that? 5 A No. Because we hadn't done it for a 6 length of time, since we sold the boat. 7 Q Okay. Now, I want to switch gears a 8 little bit. Are you currently employed? 9 A No. But I look after the accounting for 10 our holding company and produce the financial 11 statements for our -- the businesses that we -- 12 you know, the other associated businesses that we 13 have. I do not get paid for it, so -- but it is 14 my job to do that. I own half of everything, so I 15 make -- both of us make sure. Both my husband and 16 I make sure that anything that is submitted is 17 quality and of legal content. 18 Q Okay. And you're not making a wage 19 claim as a result of this incident; right? 20 A No, I'm not. 21 Q Just to confirm, you're not claiming any 22 lost past wages; correct? 23 A No, I'm not. 24 Q And you're not claiming any loss of 25 future earning capacity; right?</p>

<p style="text-align: right;">26</p> <p>1 A No, I'm not.</p> <p>2 Q Okay. What are those other businesses</p> <p>3 that you mentioned that you -- that you guys</p> <p>4 owned?</p> <p>5 A We own -- Mountain Holdings is the</p> <p>6 corporation that holds our investments and all of</p> <p>7 our -- all of the businesses are owned by Mountain</p> <p>8 Holdings, with the exception of my husband's</p> <p>9 airplane, which is a separate corporation. We</p> <p>10 have a smaller part in the building that is part</p> <p>11 of the real estate business, and the manufacturing</p> <p>12 plant that our daughter and her husband operate.</p> <p>13 As well as our -- this is our farm and we rent the</p> <p>14 farm, the available land that is available for</p> <p>15 planting.</p> <p>16 Q Okay. So you -- trying to summarize</p> <p>17 that. So you have Mountain Holdings, which then</p> <p>18 has a real estate business at the manufacturing</p> <p>19 plant, and you also separately rent out the farm?</p> <p>20 A Yes. And we have the apartment</p> <p>21 building, which is a separate corporation as well.</p> <p>22 And then our -- I've forgotten our home in Florida</p> <p>23 is a partnership between my husband, myself, and</p> <p>24 the real estate company that owns -- that is owned</p> <p>25 by Mountain Holdings.</p>	<p style="text-align: right;">28</p> <p>1 Q Okay.</p> <p>2 A 17 percent or something of that nature.</p> <p>3 Q What I mean by "hands-on," do you</p> <p>4 actually show up and do any work there on the</p> <p>5 premises?</p> <p>6 A No. No, I do not. In the beginning, I</p> <p>7 did assist with the accounting, yes. But not --</p> <p>8 not now. It's -- the accounting there now is far</p> <p>9 too advanced for me. They use a -- an accounting</p> <p>10 system that dances around a lot of other</p> <p>11 organizations.</p> <p>12 Q And what about the real estate business?</p> <p>13 Do you have any hands-on involvement with that</p> <p>14 other than, you know, providing the accounting for</p> <p>15 the holdings company?</p> <p>16 A We go in and look after the tree</p> <p>17 trimming and shrub trimming and making sure that</p> <p>18 the facility is acceptable for our tenants and all</p> <p>19 of the upgrades that are done that are necessary.</p> <p>20 Our daughter, who is -- also is -- is the</p> <p>21 controller at the manufacturing business, she</p> <p>22 supervises the apartment building, and we just --</p> <p>23 you know, she'll come and ask us what we think</p> <p>24 about a renovation to an apartment or something of</p> <p>25 that nature, but other than that, we don't have</p>
<p style="text-align: right;">27</p> <p>1 Q Where is that home in Florida located,</p> <p>2 what's the address?</p> <p>3 A 12923 Pond Apple Drive East, Naples,</p> <p>4 Florida 34119. It's located in Quail Creek</p> <p>5 Estates in Naples.</p> <p>6 Q Okay. With respect to that</p> <p>7 manufacturing plant that you referenced, what does</p> <p>8 it manufacture?</p> <p>9 A It's a tool and die manufacturing</p> <p>10 facility. My son-in-law -- or our son-in-law is a</p> <p>11 machinist tool and die maker and just an</p> <p>12 incredible, almost an artisan when it comes to</p> <p>13 making and planning equipment and producing</p> <p>14 something from drawings. A lot of it is military</p> <p>15 for General Dynamics. They have done extremely</p> <p>16 well. They started it, the business from nothing.</p> <p>17 And he's brought it up to, probably, I don't know,</p> <p>18 four, five, seven, million a year in -- in</p> <p>19 revenue.</p> <p>20 Q Wow, that's very impressive. Do you</p> <p>21 have any hands-on involvement in that business at</p> <p>22 all other than, as you mentioned, kind of the</p> <p>23 accounting for the holdings company?</p> <p>24 A My husband and I own shares in the</p> <p>25 business. A very small amount of shares.</p>	<p style="text-align: right;">29</p> <p>1 daily or weekly or even monthly interactions with</p> <p>2 that.</p> <p>3 Q Is it a single apartment building?</p> <p>4 A It is a standalone apartment building</p> <p>5 with 17 apartments in it.</p> <p>6 Q And where is -- what city is that</p> <p>7 located in?</p> <p>8 A It's in St. Mary's, Ontario, 5 miles</p> <p>9 from our home.</p> <p>10 Q Okay. And what about when you rent the</p> <p>11 farm, do you have any hands-on involvement with</p> <p>12 that?</p> <p>13 A Other than depositing the check and</p> <p>14 entertaining the Mennonite family that rents it</p> <p>15 from us to coffee when they come to give us their</p> <p>16 check and -- that's the only involvement we have</p> <p>17 with it, really.</p> <p>18 Q Okay. And you mentioned that your</p> <p>19 husband has an aircraft, which is a separate</p> <p>20 business. What's involved with that?</p> <p>21 A What's involved with it?</p> <p>22 Q Yeah. What aircraft does he own and how</p> <p>23 is it a business?</p> <p>24 A He owns a Cessna T182T, that right now</p> <p>25 is being repaired. It had some flecks of metal in</p>

<p style="text-align: right;">30</p> <p>1 the oil, and they're deciding on replacing the 2 crankshaft, and so I'm not right up on the 3 mechanics on it. I know that it's not flyable 4 right now. There's no motor in it right now. 5 Q Okay. And how is that a business? Do 6 you rent out the aircraft, or do you take people 7 up yourselves for lessons on things? 8 A No. We -- it -- it -- we use it for 9 personal and take a taxable benefit. We rent the 10 aircraft from the aircraft company that we set up 11 and pay the expenses and then get an allowance to 12 do that. 13 Q Do you have a pilot's license? 14 A I do not have a pilot's license. My 15 husband has his private pilot's license. We use 16 the plane to go back and forth to Florida and to 17 just go around, trips, short trips around. 18 Q When is the last time you used that 19 aircraft, the Cessna T182? 20 A August, I would say, yes. 21 Q August 2023? 22 A Yes. 23 Q Where did you go? 24 A We went to a resort town, an airport 25 called Casino Rama up near Orillia, Ontario for</p>	<p style="text-align: right;">32</p> <p>1 Q Okay. And what about the Cessna T182, 2 this incident hasn't affected your ability to -- 3 to fly; right? 4 A I'm with my husband. 5 Q Yeah. I didn't mean -- sorry, let me 6 correct that. It hasn't affected your ability to 7 be a passenger in an aircraft; right? 8 A Oh, I feel totally safe with him around, 9 with him flying, yes. 10 Q And what about, you know, prior to these 11 holding companies? Can you briefly run down what 12 you did for your employment, you know, just your 13 employment history? 14 A I started working for my husband. At 15 first, he needed someone back in the early '70s to 16 do some accounts receivable collections for a 17 company that he worked for with Dylan Scofield at 18 the time, and I went in to concentrate on phoning 19 and making collections to people in the needle 20 industry and -- and then after that, I had to be 21 the lowest paid in the office, of course, and no 22 overtime. But after that, I left and I went to 23 work for a trucking company as accounts payable 24 clerk, and from there, I -- I left and went to a 25 factory in Stratford where I was the confidential</p>
<p style="text-align: right;">31</p> <p>1 lunch. We would, quite often, for breakfast or 2 lunch, fly somewhere, occasionally, meet with our 3 friends if they had cottages or, we'd fly for a 4 weekend, but we went for breakfast this time. 5 Q This incident hasn't affected your 6 ability to function or your interaction with any 7 of the holding company, or its separate 8 businesses; right? 9 A Has it affected? I'm getting forgetful, 10 distracted. Everything takes much more to 11 concentrate on since the incident. Other than 12 that, I can't -- I can't elaborate on how it's 13 really -- 14 Q Well, other than, you know, becoming 15 more forgetful or distracted, has it affected your 16 ability to do the accounting that you described 17 earlier? 18 A It takes me much more time to do it, 19 much longer to do that. I -- I do have to 20 seriously concentrate. The thought of the -- I do 21 all the government filings and everything, and 22 I -- I have made mistakes of recent, and it's 23 difficult in Canada to correct those, as any 24 government -- working with any government 25 sometimes is.</p>	<p style="text-align: right;">33</p> <p>1 controller to the -- or confidential secretary to 2 the controller, and when they were leaving 3 Stratford, I went to a farm equipment company 4 and -- and was the accounting manager there and 5 did all of that. I -- when we moved to London, I 6 was accounts payable supervisor at a hospital in 7 London, and when we moved to Burlington, Ontario, 8 I received a job as -- as a general accountant for 9 a winery in the Niagara Peninsula. And from 10 there, I was accounts payable manager at region -- 11 regional government offices, and then we bought 12 our business and moved to Quebec, where I did all 13 of the finances. 14 Q So it seems like most if not all of 15 these jobs were accounting or accounts payable; is 16 that fair? 17 A Accounts payable, accounts receivable, 18 general accounting, yes. 19 Q Did you have any employment in any other 20 capacity other than as an accountant or accounts 21 payable? 22 A When I was a -- before marriage, I was a 23 waitress in a restaurant. 24 Q Okay. 25 A Other than that, no.</p>

<p style="text-align: right;">34</p> <p>1 Q Okay. And when you were working in a 2 hospital, you didn't have any other roles or 3 interact with any of the patients; did you? 4 A No, I did not, no. No. I was strictly 5 in the accounting. I had a staff at the boat, 6 eight, possibly. In the early '80s, so it's quite 7 a long time ago. The only time that I had 8 interaction with the -- other than my own staff or 9 the accounting department, was the department 10 heads and the doctors with their budgets for 11 research and that kind of thing, and the dialysis 12 patients would come and their drivers would come 13 for checks to the office. 14 Q Okay. And is it -- I know it won't be 15 the same exact capacity, but with respect to the 16 factory or the farm, were you, again, kind of 17 limited to account -- or accounting, or did you 18 actually have any other roles or, you know, 19 interaction in the factories themselves or, you 20 know, around the farm? 21 A No. The farm is our personal and, no. 22 I don't -- I don't do any of the planting or 23 anything like that. I never went into the factory 24 and did any of the manufacturing or made any -- it 25 was not my job to do any decisions or anything. I</p>	<p style="text-align: right;">36</p> <p>1 to travel anywhere. So for us to be comfortable 2 enough to do the traveling that we want to do 3 is -- we find it great, a great experience and 4 it's -- I'm reluctant to -- although, we are going 5 to India in the end of the month, and I am 6 determine to continue doing my travel. 7 Q Okay. Is there anything physically 8 preventing you from doing any of your hobbies? 9 A I don't think so. Other than I 10 cannot -- I can't sleep. When I'm flying 11 overnight, I have a hard time sleeping anymore at 12 all. It's taking a toll on -- since my husband 13 worries about me constantly, I worry about me, 14 too, but -- 15 Q Okay. How often would you needlepoint 16 or knit, crochet, or embroider? 17 A Oh, both homes are filled with 18 needlepoints. I probably did -- the needlepoints 19 that I normally do are massive. They are 20 probably, you know, 20 inches by 3 feet or so. I 21 do them -- I used to do them as gifts for friends. 22 I -- you know, any friend that I have that -- that 23 has breast cancer, I do a replacement breast, so 24 that they can put into a regular bra and not have 25 to have, you know, an insert that is very hard on</p>
<p style="text-align: right;">35</p> <p>1 was only there as for, say, a teacher to assist 2 our daughter in doing accounting. 3 Q Okay. What would you say your hobbies 4 are? 5 A My hobbies. I do needlepoint, I do 6 knit. I crochet. I embroider. I play golf. I 7 occasionally go to the gym, not as much as I 8 should, but I like to travel a lot. 9 Q Okay. Do you have any other interests? 10 A Our dog and decorating. 11 Q Don't worry. That's a much longer list 12 than I would have been able to provide. I wasn't 13 trying to make it seem like you had to add 14 anything else. Okay. Are you able to do all of 15 those hobbies and interests today? 16 A I find that I -- I haven't done as much. 17 I've just recently started -- since we have the 18 grandchildren and great grandchildren, I've been 19 doing more crafty type things with them. But not 20 of recent. That has declined substantially. The 21 traveling is getting -- well, because of the world 22 situation, traveling is getting less to the places 23 that we would like to see. David and I came from 24 very middle-class families, I from -- we have 25 less -- less money in my family. So we never got</p>	<p style="text-align: right;">37</p> <p>1 their skin. I, you know -- I've tried to do more 2 social help in the community. We do two 3 fundraisers here every year, so those are 4 getting -- since the incident, I -- I haven't 5 wanted a lot of people around. And I -- of 6 course, the community organizers are always 7 wanting to know when we're doing it, when can we 8 make -- when can they make -- we make the property 9 available for them. And, you know, the local 10 church needs so much assistance and so we're -- 11 I'm trying to do that kind of thing, but I -- it's 12 harder and harder for me to go amongst strangers 13 and -- 14 Q Okay. And with respect to these 15 fundraisers, when did you -- when did you start 16 doing those? 17 A We started the first fundraiser which is 18 a -- excuse me, I need to... 19 Q Sure. Sure. Yeah. Take your time. 20 A The first fundraiser that we started was 21 to support the local church up the road that's 22 been closed since 1968. And we had moved back 23 into the community, but we were still operating 24 our business in Quebec, so we were driving back 25 and forth here for a week, and there for two</p>

<p style="text-align: right;">38</p> <p>1 weeks, here for a week, back and forth for just 2 about a year and a half, and maybe it was longer 3 than that, actually. And we -- when we were away, 4 we were concerned because we're out in the 5 country, we're 5 miles from any -- we can't even 6 see our neighbors, 5 miles from the town. So it's 7 a small community. It's a community where David 8 grew up. There are no houses. We cannot even see 9 our neighbors' homes, and we were concerned with 10 security, although we had a security system. Who 11 knows. So we had a fundraiser to get to know the 12 families that have -- that are living around us 13 again. Because a lot of the families have -- the 14 farms had passed down through the generations, and 15 the kids were coming along and taking over them. 16 And we hadn't seen these children since they were 17 little. So we invited the two roads. Either side 18 of us and the -- you know, both north and south 19 and east and west, and we ended up with, I think, 20 195 people here for -- for dinner and we charged 21 an admission fee. And -- and, you know, just a 22 nominal amount of money, 5 or \$10 or whatever, and 23 all the funds that were collected went to the 24 local church up the road for the restoration of 25 the building. And as time went on, we continued</p>	<p style="text-align: right;">40</p> <p>1 separate fundraisers, one for the church and one 2 for cancer? 3 A That's correct. 4 Q And you've been doing the cancer one for 5 over 10 years? 6 A Yes. Yes, we have. 7 Q And you still do that this year, going 8 forward? 9 A This year, it was done again, very, I -- 10 I didn't want to do it, but I knew it was 11 important to do. These things are people in need. 12 It's important to support them, so I -- I worked 13 hard and -- yeah. Now, for that, we don't have to 14 make any of the food or anything of that nature. 15 We merely have to have the lawns and gardens 16 prepared and planted, and, you know, make 17 everybody welcome. 18 Q And what about the church fundraiser? 19 When did you first start that? 20 A Oh, that was back in probably late 1991, 21 1993. 22 Q All right. And you're still doing those 23 annually? 24 A Yes, we are. It's expanded now because 25 these families leave the farm. They still want to</p>
<p style="text-align: right;">39</p> <p>1 to have that every year. And we still have that 2 fundraiser. Still supporting the local church. 3 Q Uh-hum. 4 A And then David's sisters, his one sister 5 has had breast cancer, and she was a member of a 6 group in Stratford called Wellspring, and the 7 Wellspring was an organization just starting up in 8 support of cancer patients, and they asked us if 9 we would hold a fundraiser on their behalf. They 10 would do all of the work, and all we had to do was 11 just make the property available. So we've been 12 doing that now, for, gosh, I can't recall how long 13 it's been, 10 years. The people that are -- 14 attend that, a lot of them we don't even know. 15 They come from Stratford or they're families of 16 those that had cancer or want to support the 17 group, and they serve 200 -- 200 people every 18 year, plus the -- the volunteers that help to 19 serve, so there's about 220 meals. Everybody 20 brings their lawn chair and sits around the 21 grounds, and we get letters of thank you and what 22 a beautiful property we have and how much they 23 appreciate it. 24 Q So it -- and correct me if I misstate 25 anything, but it seems like you kind of do two</p>	<p style="text-align: right;">41</p> <p>1 come back and then there's new families, new 2 immigrant families taking over farms, and so they 3 all come and it's still -- I think this year we 4 had probably 170 people here. All at once this 5 time because it poured rain, everyone came, and 6 they all stayed from the time they arrived at 5:30 7 right through until about 9:30 at night, just 8 interacting with everyone. It was very much -- 9 very nice. 10 Q Are you providing food to everyone, is 11 it, like, a meal? 12 A We provide for the -- we don't do any 13 food for the Wellspring cancer fundraiser. For 14 the neighborhood barbecue, is what we call it, we 15 provide the pork chops, we just smoke pork chops 16 on the barbecue, I do all the baked potatoes, I do 17 rolls, butter, any condiments for the table, 18 coffee, tea, the -- you know, sliced tomatoes and 19 then the -- people that attend, all the neighbors 20 that attend, bring either -- either or, a dessert 21 or a -- a salad for everyone to share. 22 Q Are you personally cooking for all those 23 100 -- 200 people? The rolls and coffee and tea 24 and all that? 25 A I don't make the rolls. I buy the</p>

<p style="text-align: right;">42</p> <p>1 rolls.</p> <p>2 Q Okay.</p> <p>3 A I did cook the small pork chops on the</p> <p>4 barbecue, two large barbecues. I do all the baked</p> <p>5 potatoes in the -- we have -- let's see, four</p> <p>6 ovens on the property, between the condo and we</p> <p>7 have a little kitchenette in -- downstairs in the</p> <p>8 barn where we have seating, open seating for 100</p> <p>9 people at a time. 166 showed up this year.</p> <p>10 Q Wow.</p> <p>11 A We have a big awning that we put out</p> <p>12 front that shelters people from the rain and...</p> <p>13 Q Well, that's quite an event. Are you</p> <p>14 guys serving alcohol for these events?</p> <p>15 A No, we do not serve the alcohol. It --</p> <p>16 they are too -- other than lemonade, coffee, and</p> <p>17 tea, they -- if they want any libations of any</p> <p>18 sort, that is their choice.</p> <p>19 Q Right. It's a bring-your-own beverage?</p> <p>20 A We do not -- we do not provide it.</p> <p>21 Q Okay. And you mentioned -- I know we</p> <p>22 touched base on this, your needlepoints and them</p> <p>23 being pretty large, how -- how often, you know, in</p> <p>24 a given week would you say that you're doing one</p> <p>25 of these hobbies, needle work, crotchet?</p>	<p style="text-align: right;">44</p> <p>1 Q Do you still needlepoint, knit,</p> <p>2 crotchet, or embroider every day?</p> <p>3 A No.</p> <p>4 Q Prior to the incident, would you</p> <p>5 needlepoint, knit, crotchet, or embroider every</p> <p>6 day?</p> <p>7 A Yes. I used to take it with me every</p> <p>8 time when I travel. In fact, I do, still do, to</p> <p>9 help relax.</p> <p>10 Q So then if not every day, then, how</p> <p>11 often would you say that you needlepoint, knit,</p> <p>12 crotchet, or embroider?</p> <p>13 A Now, it would probably be twice, three</p> <p>14 times a week, maybe.</p> <p>15 Q And what are you -- if anything, doing</p> <p>16 with the time that you would have spent</p> <p>17 needlepointing or crocheting today?</p> <p>18 A Trying to catch up on my sleep. I'm</p> <p>19 doing the accounting work that keeps me -- takes</p> <p>20 me longer. I -- you know, doing research on</p> <p>21 various things that I might want to think about</p> <p>22 doing or buying or seeing. You know, if there's</p> <p>23 a -- a play come up, like, in Naples, we are</p> <p>24 members of Artis-Naples, whether there's anything</p> <p>25 there that we want to attend, making meals. Takes</p>
<p style="text-align: right;">43</p> <p>1 A I can't sit down in front of a TV in the</p> <p>2 evening or in the morning when I get up without</p> <p>3 having something in my hand. I must either be</p> <p>4 reading, I must either be having needlepoint or</p> <p>5 knitting or crocheting or whatever. I do a lot of</p> <p>6 homemade gifts for Christmas. I think they're a</p> <p>7 little more personal, so I try and provide,</p> <p>8 especially for the grandchildren and great</p> <p>9 grandchildren. I try and do something of a very</p> <p>10 personal nature.</p> <p>11 Q Okay. And that's -- how often you do it</p> <p>12 today?</p> <p>13 A Not as much anymore, no.</p> <p>14 Q How much would you say you do, you know,</p> <p>15 this type of work today?</p> <p>16 A I'm getting back into doing the great</p> <p>17 grandchildren now, but as far as great</p> <p>18 grandchildren, no, I don't do it. You know, I've</p> <p>19 done a sweater for our great grandson. I have</p> <p>20 a -- my daughter-in-law has a -- a friend who is</p> <p>21 expecting a baby in December, so I'm working on</p> <p>22 booties and a bonnet for that -- for her to give.</p> <p>23 I've made a little dress for our great</p> <p>24 granddaughter. A couple little pairs of mittens,</p> <p>25 but other than that, nothing, you know.</p>	<p style="text-align: right;">45</p> <p>1 me longer to make a meal. I try and have -- I try</p> <p>2 and have someone from the family out for dinner,</p> <p>3 at least once a week. I don't like to go to</p> <p>4 restaurants very much anymore. I try and have --</p> <p>5 I haven't had any friends over for a meal since</p> <p>6 September. It used to be a regular thing. Used</p> <p>7 to hold a cocktail party every year for,</p> <p>8 approximately, 100 people in our home before</p> <p>9 Christmas. We didn't do it last year. I don't</p> <p>10 think we'll do it this year. And if we do, do it,</p> <p>11 it will be very scaled down.</p> <p>12 Q You -- I assume that you didn't do that</p> <p>13 party the last several years because of COVID; is</p> <p>14 that right?</p> <p>15 A That's correct, we didn't do it because</p> <p>16 of COVID, no.</p> <p>17 Q And with respect to your travelings, you</p> <p>18 said you travel a lot. How often in a year would</p> <p>19 you travel?</p> <p>20 A Two large trips a year, pretty much.</p> <p>21 Q Has that changed at all?</p> <p>22 A Well, we're doing two this year. The --</p> <p>23 the one we did in the spring was a leftover credit</p> <p>24 from COVID that we had to use up this year. I</p> <p>25 really didn't want to go, but I didn't want to</p>

<p style="text-align: right;">46</p> <p>1 disappoint the friends that we had arranged it 2 with, so we went on that trip. 3 Q And when you say "large trip," what do 4 you mean by that? 5 A Well, last year, when we went to the 6 Middle East, we did Jordan and Egypt, and I did 7 the -- the extension, I planned -- and I was the 8 one that wanted to do the extension to Dubai, and 9 therefore, that was why we were flying Emirates 10 Air and -- 11 Q I guess -- sorry. 12 A And those are -- they're expensive, 13 they're expensive trips. That's what I mean by 14 big trips. Usually, they're anywhere from two and 15 a half to three weeks to a month. When we went to 16 New Zealand, we added on a cruise in Tahiti, and 17 we were away for a month traveling. They're 18 expensive trips. We like to travel very 19 comfortably and I -- the trip to -- to India was 20 one that I -- I didn't want to do for years and 21 years and years until we had gone on the Tauk Tour 22 with the Tauk tour company group last year, and 23 the trip portion to Jordan and Egypt were so 24 wonderful, that we -- people that were on, other 25 travelers, when they talked about the number of</p>	<p style="text-align: right;">48</p> <p>1 A We return to Canada on the 19th of 2 November. 3 Q Are you traveling anywhere else other 4 than India? 5 A No, not this year. 6 Q Okay. 7 A And we haven't planned anything for next 8 year either. 9 Q Have you been to India before? 10 A No, we have not. 11 Q Okay. All right. We've been going 12 about an hour and 15. Do you want to take a short 13 break? Just, you know, want to kind of switch 14 gears and start some questions about the incident 15 itself. So maybe this is a good breaking point 16 for everyone. 17 (Off the record.) 18 BY MR. THORNTON: 19 Q We're back after a short break. 20 Ms. Mountain, you're ready to continue? 21 A Yes, I am. 22 Q I'd like to shift gears and talk about 23 kind of the incident leading up to it. Can you 24 describe the day leading up to the incident 25 itself?</p>
<p style="text-align: right;">47</p> <p>1 Tauk Tours that they've been on. And we said to 2 them, what were the two best ones that you were 3 ever on, and they said Africa and India. And we 4 thought, well, that -- you know, okay. I only 5 wanted to do it previously by cruise ship because 6 then I could go back to the cruise ship, and I 7 could have -- if I didn't want Indian food or 8 whatever, then I was afraid of the -- of what it 9 would be, but this tour group is so good that I'm 10 not -- I'm still concerned about flying to -- to 11 India, because I know I won't sleep, and that's 12 why we have to go two days early because David 13 doesn't want me exhausted when the tour starts. 14 We're leaving on the 29th of October. The tour 15 doesn't start until the afternoon of November the 16 1st. But he knows, from experience, since the 17 return from Dubai, I can't sleep on a plane. I 18 can't -- I can't -- I can't relax, I have to go 19 extra time to try and build up my strength to do 20 the rest of the trip that we both want. We both 21 want to -- to see the big, wide world out there, 22 and we're financially set to do that, but this is 23 deterring that kind of thing. 24 Q Okay. And how long is that trip 25 scheduled to last?</p>	<p style="text-align: right;">49</p> <p>1 A What happened during the day; is that 2 what you're... 3 Q Yeah. Just basically what you did, what 4 time you woke up. Just run me through that day. 5 A We were up at normal time, went down for 6 breakfast. Normal time would be 7:00, my husband 7 does exercises every morning, we -- while I have 8 coffee and watch him, and then we go down and have 9 a light breakfast, and we go out and walk around 10 for a little bit and come back and finish packing. 11 And at 7:00, the restaurant downstairs in the 12 hotel -- we stayed at the Pullman Hotel. We went 13 down there and had a very nice dinner, and then 14 our driver wasn't picking us up until 11:00, so we 15 had extended our room time, of course, and went 16 down and waited for the driver to arrive. We -- I 17 think we went down about 10:30, and we came, 18 dropped us off at the -- took us to the airport, 19 dropped us off, everything was fine. We got in, 20 got around -- through security and checked in to 21 get our boarding passes, and there was a delay 22 there because when Emirates Air had canceled the 23 flight to -- when we were leaving at the origin of 24 the trip, they canceled the flight, and we had to 25 take a -- I believe it was a day early -- earlier</p>

<p style="text-align: right;">50</p> <p>1 flight and arrived in Amman, Jordan eventually. 2 And when they -- when we had booked it all through 3 Tauk Tours, when they did that, somehow it got 4 screwed up, the number of bags that we were 5 checking, so there was a delay getting our 6 boarding passes with the number of bags for some 7 reason. Even though we were in executive class 8 and I was shocked at that, but we were quite a bit 9 of time standing and waiting and then went through 10 and up to the lounge for a -- I had a soft drink 11 in the lounge. And -- because we were not 12 boarding until -- and were delayed as well, we 13 weren't boarding until about 3:00 in the morning. 14 Then we got on the plane. 15 Q Okay. Let me share my screen with you. 16 I'll mark this as Defendant's Exhibit 1. 17 (Exhibit 1 was marked for 18 identification.) 19 MR. THORNTON: Jessica, it says the host 20 disabled, participant screen sharing. 21 BY MR. THORNTON: 22 Q I'll share my screen, which is 23 Defendant's Exhibit 1. Let me know if you can see 24 this. 25 A Yes.</p>	<p style="text-align: right;">52</p> <p>1 A Yeah. Yes, that's correct. 2 Q All right. And it says here, the 3 request for 6J and 6K, did you -- did you receive 4 the posed seats that you requested? 5 A No. They gave us a different one and 6 I -- I have the actual in my possession. I do 7 have the actual ticket stubs. Was it -- I -- I... 8 Oh, yup, I have the actual ticket stub. We were 9 in 6A. I have a ticket stub with 6A and 6C. 10 Q Okay. And who is seated in 6A? 11 A A is the -- I believe the -- it is made 12 out in my name, and it is the window seat. 13 Q Did you actually sit in 6A, the window 14 seat? 15 A I sat in the window seat, if it is so 16 labeled 6A. 17 Q Okay. And then 6C, is that the aisle 18 seat? 19 A That is the seat next to the aisle, yes. 20 And it's right at the bulk head. 21 Q And who sat in 6C? 22 A My husband, David, sat in 6C, or he sat 23 in the aisle seat next to me. 24 Q Okay. Okay. So you woke up around 7 25 a.m. Sorry, I'll stop sharing. And you had</p>
<p style="text-align: right;">51</p> <p>1 Q Okay. I'll represent that these are 2 documents that were produced in response to 3 request for production, which are Bates-stamped, 4 Mountain 9 through 12. Do you -- do you recognize 5 this document? 6 A Yes, I do. 7 Q What is it? 8 A It is the itinerary from Tauk Tours of 9 our flight arrangements to Dubai and then on to 10 Amman and from Cairo, Egypt to Dubai. A stay over 11 in Dubai and direct flight from Dubai to Miami. 12 Q Okay. And on Mountain 11 on the bottom 13 of page 3, it says there's a flight on Emirates on 14 November 9th; is that the subject flight? 15 A Yes, it is. 16 Q Okay. And this was -- it says it left 17 from Dubai National Airport at 3:25 a.m.; is that 18 correct? 19 A Yes. But we did not leave, I do not 20 believe until around -- I know we worked in late, 21 3:50 or -- I don't think we even boarded until 22 close to that time, but I could be wrong. 23 Q So it was scheduled to depart at 3:25, 24 but you were delayed for some period of time. You 25 might not have departed until 4, 3:50?</p>	<p style="text-align: right;">53</p> <p>1 breakfast. Did you have any drinks with 2 breakfast? 3 A Coffee. 4 Q Okay. No alcohol; right? 5 A Not with breakfast, never. 6 Q Okay. And did you -- did you have lunch 7 at the hotel or anywhere else? 8 A I don't recall that day if we had lunch 9 at the hotel or if we went out to one of the -- we 10 would -- we went out for a walk, and I don't 11 recall if we stopped for lunch. We did not take a 12 tour that day. 13 Q Did -- do you know if you had any drinks 14 at lunch? 15 A No. We don't drink at lunch either. 16 Q All right. And then you said you had 17 dinner; is that around 7:00 p.m.? 18 A Yes. I don't believe the rest -- it was 19 a new restaurant, and I believe they were just 20 opening for dinner, beginning at seven. 21 Q Was it in the hotel? 22 A Yes. It was right in the hotel. 23 Q Okay. And did you have drinks with 24 dinner? 25 A I had a glass of white wine.</p>

<p style="text-align: right;">54</p> <p>1 Q Anything else?</p> <p>2 A No.</p> <p>3 Q And what time did you check out of your</p> <p>4 hotel?</p> <p>5 A I believe we went down around 10:30, I</p> <p>6 believe our pickup time was 11:00 p.m. I -- I</p> <p>7 believe we went downstairs and turned our keys in</p> <p>8 around 10:30 in the evening.</p> <p>9 Q And did you head directly from the hotel</p> <p>10 to the airport?</p> <p>11 A Yes. The driver picked us up at the</p> <p>12 hotel and we went direct, no stops.</p> <p>13 Q How long was that drive?</p> <p>14 A Half an hour, maybe. I -- I don't</p> <p>15 recall more than that. It's not that -- really,</p> <p>16 they travel so fast, it's...</p> <p>17 Q So did you arrive at the airport around</p> <p>18 11:30 p.m.?</p> <p>19 A Midnight at the very latest, I believe.</p> <p>20 Q Okay. And what were you wearing?</p> <p>21 A I was wearing slacks and a sweater and</p> <p>22 carrying a jacket.</p> <p>23 Q What kind of shoes were you wearing?</p> <p>24 A Black leather shoes.</p> <p>25 Q Were they lace-up, were they heels, or?</p>	<p style="text-align: right;">56</p> <p>1 A Yes.</p> <p>2 Q Did you put a mask on?</p> <p>3 A No.</p> <p>4 Q Why do you take them off?</p> <p>5 A I don't sleep in my glasses. They</p> <p>6 are -- I'm afraid of breaking them if I turn the</p> <p>7 wrong way or anything.</p> <p>8 Q Okay. What is your prescription?</p> <p>9 A Prescription, it's -- for distance, it</p> <p>10 is not, no. My prescription is brought close,</p> <p>11 because I do the needle work. My -- I have, like,</p> <p>12 a 150, 125 plus. It's not a strong prescription,</p> <p>13 they are bifocals, though.</p> <p>14 Q Were you traveling with your husband,</p> <p>15 you know, getting to the airport and --</p> <p>16 A Yes. Yes.</p> <p>17 Q Were you traveling with anyone else?</p> <p>18 A No.</p> <p>19 Q And you went to the -- so you got to the</p> <p>20 airport around 11:30, 12, and there was some delay</p> <p>21 with your -- with your baggage. About how long</p> <p>22 was that delay?</p> <p>23 A That delay had to be half --</p> <p>24 three-fourths of an hour anyway.</p> <p>25 Q Okay. So you got to the airport around</p>
<p style="text-align: right;">55</p> <p>1 A No. They're slip on, they're slip-on.</p> <p>2 I try and wear slip-ons at the airports because</p> <p>3 you never know which ones want you to take your</p> <p>4 shoes off anymore and which ones don't.</p> <p>5 Q That's a good idea. Were you wearing a</p> <p>6 shirt or anything else underneath the sweater?</p> <p>7 A No.</p> <p>8 Q Okay. Do you still have all that</p> <p>9 clothing?</p> <p>10 A No. I threw the pants away and the</p> <p>11 socks.</p> <p>12 Q Okay. Our -- I notice you're wearing</p> <p>13 glasses now, and your answers to interrogatory</p> <p>14 indicate that you were prescribed glasses in</p> <p>15 August 2021; is that right?</p> <p>16 A I had a prescription for glasses for</p> <p>17 quite a length of time. I renewed the</p> <p>18 prescription in August of 2021, and it is still</p> <p>19 the same prescription.</p> <p>20 Q Were you wearing glasses on the day of</p> <p>21 the incident?</p> <p>22 A Yes. Until we reclined to go to sleep,</p> <p>23 yes.</p> <p>24 Q And when you reclined to go to sleep,</p> <p>25 did you take them off?</p>	<p style="text-align: right;">57</p> <p>1 11:30, 12, and then you've gotten through security</p> <p>2 and checking in at around 12:30ish?</p> <p>3 A Somewhere around that time.</p> <p>4 Q Okay. And then you went to the lounge;</p> <p>5 right?</p> <p>6 A That's correct.</p> <p>7 Q Is that the Emirates lounge?</p> <p>8 A Yes, it was.</p> <p>9 Q Did you have any drinks while you were</p> <p>10 at the lounge?</p> <p>11 A Just a soft drink.</p> <p>12 Q You were there from 12:30 until at least</p> <p>13 3:30; is that right?</p> <p>14 A No. I -- I don't like not knowing where</p> <p>15 our gate is for sure, and I always insist on</p> <p>16 leaving. If we're to board, say, at 3:30, I</p> <p>17 always like to leave at least 15, 20 minutes,</p> <p>18 maybe even a half an hour to make sure I know</p> <p>19 exactly where I'm going and that we have</p> <p>20 everything with us, and we're not going to end up</p> <p>21 fumbling to a different gate because it changed</p> <p>22 gates with the planes or anything, so we always</p> <p>23 leave early. We -- we went to the gate early.</p> <p>24 We're told it was delayed, and I believe we went</p> <p>25 up an escalator and it's a big hallway, like, a</p>

<p style="text-align: right;">58</p> <p>1 big empty hallway to get on the Emirates flight --</p> <p>2 the boarding area where we were. And there were a</p> <p>3 few benches there, but really, it wasn't -- it</p> <p>4 wasn't like a lounge or seated area for general</p> <p>5 seating to board the plane.</p> <p>6 Q Okay. So if you left, let's say you</p> <p>7 left 30 minutes early, you would have been in the</p> <p>8 lounge from around 12:30 to around 3:00 a.m.?</p> <p>9 A I would -- I would say -- I would say</p> <p>10 yes to that, yes.</p> <p>11 Q Okay. And then you made your way to the</p> <p>12 gate, and did you just stay there or in that area</p> <p>13 for the delay?</p> <p>14 A We stayed right outside of the boarding</p> <p>15 gate, yes.</p> <p>16 Q Okay. And how long were you around the</p> <p>17 gate before boarding?</p> <p>18 A Twenty -- 25, 30 minute, maybe. Half an</p> <p>19 hour at the maximum, I would say.</p> <p>20 Q Okay. At any time from the moment you</p> <p>21 got to the airport, including the lounge and</p> <p>22 waiting at the gate, did you notice the other</p> <p>23 passenger that was involved in this incident?</p> <p>24 A No. I -- I don't -- I still would not</p> <p>25 know -- I would not recognize him now.</p>	<p style="text-align: right;">60</p> <p>1 are both seats, we were in bulkhead seats, the</p> <p>2 same row, but on the opposite sides of the plane.</p> <p>3 Q Yeah. So are A -- are seats 6A and 6C</p> <p>4 next to each other?</p> <p>5 A Yes, they are.</p> <p>6 Q Okay. And those are both bulkhead seats</p> <p>7 in the business class of the aircraft?</p> <p>8 A That's correct.</p> <p>9 Q And you were seated in the window seat?</p> <p>10 A I was.</p> <p>11 Q And your husband was seated in the aisle</p> <p>12 seat next to you?</p> <p>13 A Correct.</p> <p>14 Q Okay. And the 6A seat would be the one</p> <p>15 that's closest to the door in which the passengers</p> <p>16 enter the aircraft?</p> <p>17 A No. Because there's a bulkhead there.</p> <p>18 Q Okay. So on what side of the aircraft</p> <p>19 did you -- did you enter?</p> <p>20 A On the same side as our seats.</p> <p>21 Q Okay. And there's no middle seat</p> <p>22 between 6A and C; right?</p> <p>23 A No, there is not.</p> <p>24 Q Okay. Can you describe the orientation</p> <p>25 of the seating of the business class, in other</p>
<p style="text-align: right;">59</p> <p>1 Q Okay. So you never spoke to him prior</p> <p>2 to boarding the aircraft; right?</p> <p>3 A No.</p> <p>4 Q You didn't see him at the lounge at all?</p> <p>5 A Not in the lounge we were in. It was</p> <p>6 very, very sparsely populated.</p> <p>7 Q You never noticed anything about him</p> <p>8 prior to boarding the aircraft?</p> <p>9 A No.</p> <p>10 Q Did you board the aircraft with the</p> <p>11 other passengers that were in business class?</p> <p>12 A We boarded as soon as they allowed us to</p> <p>13 start boarding, yes.</p> <p>14 Q And you didn't board early or late for</p> <p>15 the aircraft for any reason? Like, you didn't,</p> <p>16 you know, require wheelchair assistance --</p> <p>17 A No.</p> <p>18 Q -- or any sort of special boarding</p> <p>19 process; right?</p> <p>20 A No, we did not, no.</p> <p>21 Q Okay. And you requested seats 6J and K,</p> <p>22 but you were seated in 6A and C by the bulkhead;</p> <p>23 is that right?</p> <p>24 A Yes. Well, both -- both seats are,</p> <p>25 they're all in the same aisle, but the -- six --</p>	<p style="text-align: right;">61</p> <p>1 words, is it 2/3/2, 2/2/2, you know, how?</p> <p>2 A It is 2/3/2.</p> <p>3 Q Okay. And after you made it to your</p> <p>4 seat, did you notice the other passenger involved</p> <p>5 in the incident during the time in which all the</p> <p>6 other passengers were boarding?</p> <p>7 A No, I did not.</p> <p>8 Q As you sat down, did you have any</p> <p>9 drinks?</p> <p>10 A I don't recall for sure, but I may have</p> <p>11 had a glass of champagne that the stewardess</p> <p>12 offered us before taking off.</p> <p>13 Q Okay. I'm going to share my screen with</p> <p>14 you, and this will be Defendant's Exhibit 2, which</p> <p>15 would be your answers to interrogatories.</p> <p>16 Are you able to see that?</p> <p>17 (Exhibit 2 was marked for</p> <p>18 identification.)</p> <p>19 A Yes, I am.</p> <p>20 Q I'm going to go down to No. 7 here. In</p> <p>21 response to the question asked on whether you</p> <p>22 consumed any alcoholic beverages in the 12 hours</p> <p>23 prior to the time of the incident, you indicated</p> <p>24 that one glass of champagne on board Emirates</p> <p>25 airline prior to take off of the aircraft around</p>

<p style="text-align: right;">62</p> <p>1 4:00 a.m. served by the stewardess. Does that 2 refresh your recollection as to whether you had a 3 glass of champagne? 4 A I believe I did. I normally do when we 5 fly. But when I -- at 4:00 in the morning or 6 whatever time it was, I am not 100 percent sure 7 that I did not take a glass of just the orange 8 juice that they normally offer. 9 Q Okay. So you have -- you normally have 10 champagne, and in this instance, you don't know 11 one way or the other whether you did or not? 12 A I'm not -- I cannot guarantee that I did 13 have the champagne, but I probably did. 14 Q Okay. Were you served any food or 15 snacks, you know, with the champagne when you're 16 first boarding the aircraft? 17 A There was not snacks, I don't believe, 18 but I believe there was some sort of a light 19 cheese and crackers or something that we were 20 offered prior to reclining our seats, but again, 21 it was a long day, I was tired, and the incidents 22 that -- that day, I've been -- I don't recall. 23 Q Okay. Do you know how long you were 24 seated before the aircraft departed, 25 approximately?</p>	<p style="text-align: right;">64</p> <p>1 Q Okay. And then did you notice that 2 other passenger involved in the incident at any 3 time, you know, up to the point of departure? 4 A No. You know, there were two boarding 5 areas for that airplane, because when we went 6 through the upper -- we had to go up an escalator 7 and then board the airplane and -- and it was 8 interesting because there were a lot of seats 9 below the escalator with -- with people, it 10 appeared to be were waiting for the same plane, 11 which I'm sure it was, and they -- then there was, 12 I believe there was a sign in the airport or 13 something that indicated we had to go to the upper 14 level to board. 15 Q But, again, you didn't notice, you know, 16 that, maybe, because there's two boarding areas, 17 you didn't notice the other passenger up to the 18 point of departure of the aircraft; right? 19 A No, I did not. 20 Q Okay. I'm going to share my screen with 21 you, which would be Defendant's Exhibit 3, and 22 this will be the complaint. 23 (Exhibit 3 was marked for 24 identification.) 25 Let's go to page 3, it says,</p>
<p style="text-align: right;">63</p> <p>1 A It was -- it was not that long. I'm 2 sorry. I -- you know, I don't -- I don't -- we 3 were just getting settled, my husband and I were 4 discussing our trip, how wonderful it had been and 5 what a great time we had, and we're so glad that 6 we had done Jordan and Egypt as a land tour as 7 opposed to doing it from a cruise ship. It was so 8 much better and Tauk Tours what a great, great 9 tour company they were, and we would definitely 10 tour with Tauk again. Just, you know, reminiscing 11 between the two of us, what a great time we'd had. 12 Q Okay. And the amount of time that you 13 were on the aircraft before it departed, was that 14 normal for, you know, any other flight? 15 A Well, the flight -- the flight from 16 Venice, this -- this summer -- in the spring, I 17 think we sat on the airplane for two and a half or 18 three hours or so before it took off, because they 19 lost their place in line and had to wait, so 20 what's normal anymore with airline flights? 21 Q Sure. But in this case, there was no 22 delay like that or anything; right? 23 A No massive delay, no, it didn't appear 24 that way. To me, it didn't. I don't recall that 25 it was a massive delay.</p>	<p style="text-align: right;">65</p> <p>1 "Approximately, one hour into the flight, many of 2 the other passengers were reclined and ready for 3 sleep. Suddenly, there was a disturbance. A 4 passenger came stumbling from the back of the 5 plane, obviously very drunk and attempted to take 6 a seat, second from the aisle, same row as the 7 plaintiff in business class." 8 Did I read that correctly? 9 A Which -- oh, I see, No. 10, No. 10? 10 Q Yes, ma'am. 11 A Oh, yeah. Okay. 12 Q Did I read that correctly? 13 A Yes. 14 Q As you sit here today, is it your 15 testimony that the -- well, scratch that. As it 16 states here, approximately one hour into the 17 flight, the other passenger stumbled from the back 18 of the plane. Is this the first moment where you 19 noticed this other passenger? 20 A It is. 21 Q Up until this moment, meaning an hour 22 now into the flight, was there anything different 23 about this flight than any other? 24 A No. 25 Q How was your seat oriented, was it</p>

<p style="text-align: right;">66</p> <p>1 facing the front of the aircraft?</p> <p>2 A Yes.</p> <p>3 Q So did you actually witness this other</p> <p>4 passenger walk from the back of the plane towards</p> <p>5 business class?</p> <p>6 A I did not see him walk from the back of</p> <p>7 the plane to the business class. I saw him</p> <p>8 stumbling. I noticed him when he was stumbling</p> <p>9 over the passenger that was seated in that center</p> <p>10 three -- center three-seat section. He was --</p> <p>11 that passenger was already -- had his seat</p> <p>12 reclined and in the sleep position, and he was</p> <p>13 lying down asleep, and the disturbing passenger</p> <p>14 stumbled over, tried to get over the seat, and</p> <p>15 fell on top of him. The passenger that was</p> <p>16 reclined moved a bit. You know, kind of pushed</p> <p>17 him off a little bit, but he got over the seat</p> <p>18 and -- and -- or tried, further, to get over the</p> <p>19 seat, and the stewardess came along.</p> <p>20 Q So you never witnessed the other -- the</p> <p>21 other passenger involved in this incident walking</p> <p>22 down the aisle or to the seat area?</p> <p>23 A He did not bring himself to my attention</p> <p>24 until he was stumbling over the passenger.</p> <p>25 Q Okay. Is the reason that you imply he</p>	<p style="text-align: right;">68</p> <p>1 A No, I do not. It was a female</p> <p>2 stewardess, so.</p> <p>3 Q Did that female stewardess attend to you</p> <p>4 while you were in business class?</p> <p>5 A No. Unless she served us the glass of</p> <p>6 either orange juice or champagne, whichever I had</p> <p>7 taken.</p> <p>8 Q Do you know from which seat the</p> <p>9 passenger involved in this incident came from when</p> <p>10 he attempted to sit in the business class?</p> <p>11 A No, I do not.</p> <p>12 Q All right. Do you have any reason to</p> <p>13 believe that he was seated in the back of the</p> <p>14 plane as you allege in paragraph 10?</p> <p>15 A I did not see him come from the front.</p> <p>16 I didn't see him come from the front, but if he</p> <p>17 came from first class, why would he come to</p> <p>18 business class? That would be -- I made the</p> <p>19 assumption that he was at the back of the plane.</p> <p>20 Q Were you in the -- is this a</p> <p>21 double-decker aircraft?</p> <p>22 A No, it was -- no, it was not.</p> <p>23 Q And when you say "back of the plane," do</p> <p>24 you mean economy, or do you mean just a different</p> <p>25 row behind row six?</p>
<p style="text-align: right;">67</p> <p>1 was obviously very drunk because he allegedly</p> <p>2 stumbled over this other passenger?</p> <p>3 A You could hear him speaking slurredly to</p> <p>4 the stewardess, and my husband indicated to me</p> <p>5 that he was, obviously, very drunk.</p> <p>6 Q What language did he speak?</p> <p>7 A Well, I didn't pay that much attention</p> <p>8 to it. I really, I don't recall. I believe he</p> <p>9 was -- I'm sorry, I don't recall.</p> <p>10 Q Do you speak any Arabic languages?</p> <p>11 A No, I do not.</p> <p>12 Q Okay. Do you have any reason to believe</p> <p>13 that the other passenger involved in this incident</p> <p>14 was speaking English at all?</p> <p>15 A I mean, it came to my attention, so I</p> <p>16 believe he was slurring, so that's why I thought</p> <p>17 he must have been speaking English, but I cannot</p> <p>18 say for sure.</p> <p>19 Q What did you hear him say?</p> <p>20 A It was so slurred. You could tell it</p> <p>21 was -- he was trying to say something to the</p> <p>22 stewardess. I do know she spoke English back to</p> <p>23 him.</p> <p>24 Q Do you -- do you know the name of that</p> <p>25 stewardess?</p>	<p style="text-align: right;">69</p> <p>1 A A different row behind row six.</p> <p>2 Q Okay. Do you have any reason to believe</p> <p>3 that this other passenger was not seated in</p> <p>4 business class?</p> <p>5 A I don't know anything about the other</p> <p>6 passenger.</p> <p>7 Q On paragraph 11, it says, "The drunken</p> <p>8 passenger nearly fell on top of a passenger</p> <p>9 sitting in the aisle seat. When the flight</p> <p>10 attendant noticed the commotion and advised him to</p> <p>11 return to his seat towards the back of the plane,</p> <p>12 the drunken man protested loudly, used very rude</p> <p>13 language, and the flight attendant capitulated and</p> <p>14 allowed the drunken man to take the seat he</p> <p>15 sought." Did I read that correctly?</p> <p>16 A Yes.</p> <p>17 Q When it says "nearly fell on top of a</p> <p>18 passenger sitting in the aisle seat," is that what</p> <p>19 you're referring to earlier when the passenger</p> <p>20 stumbled?</p> <p>21 A So he is -- yes, and the passenger</p> <p>22 sitting in the aisle seat was not sitting, he was</p> <p>23 reclined.</p> <p>24 Q Okay. And when you say "the aisle</p> <p>25 seat," what seat are you referring to? Is this</p>

<p style="text-align: right;">70</p> <p>1 row six?</p> <p>2 A Yes, it is, row six.</p> <p>3 Q Okay.</p> <p>4 A Across the aisle from my husband's seat</p> <p>5 of row 6C.</p> <p>6 Q Okay. So this would be the seat</p> <p>7 directly next to your husband across the aisle?</p> <p>8 A Yes. Against the bulkhead, yeah.</p> <p>9 Q And you indicate that the flight</p> <p>10 attendant allowed the passenger to change the</p> <p>11 seat. Do you know what seat he changed to?</p> <p>12 A No. I -- all I heard was that she said,</p> <p>13 "Sir, you cannot sit here. You must return back</p> <p>14 to your own seat." And he slurred something to</p> <p>15 her, and -- and she allowed him to sit there.</p> <p>16 Q And when you say "he slurred something,"</p> <p>17 do you know what language he was speaking?</p> <p>18 A No, I do not. That's the only time I</p> <p>19 heard him speak was when the -- the stewardess and</p> <p>20 the disturbing passenger spoke to each other.</p> <p>21 That was the only time that I heard him speak.</p> <p>22 Q Okay. So it was just this -- just this</p> <p>23 instance when he was requesting to change his seat</p> <p>24 is the only time you ever heard this passenger</p> <p>25 speak?</p>	<p style="text-align: right;">72</p> <p>1 incident actually sat in after you changed seats?</p> <p>2 A I don't -- I don't think so, no. I --</p> <p>3 unless there was something in some of the</p> <p>4 paperwork that -- that Jim had forwarded me that</p> <p>5 I -- their deposition that -- I don't know what</p> <p>6 seat he was in before, you know.</p> <p>7 Q What do you mean, "their deposition"?</p> <p>8 A Well, their -- their questioning,</p> <p>9 their -- you know.</p> <p>10 Q Who is "they"?</p> <p>11 A Well, Jim gave me some paperwork, but I</p> <p>12 didn't pay much attention to it. It was answers</p> <p>13 to, I believe, it was Jim's questions to the</p> <p>14 defendant.</p> <p>15 Q Yeah. Our interrogatories?</p> <p>16 A Yes, yes.</p> <p>17 Q Yeah. Okay. So next on paragraph 11</p> <p>18 here, it says, "The drunken man protested very</p> <p>19 loudly using very loud language." As you sit here</p> <p>20 today, you don't know what language he was</p> <p>21 speaking; is that right?</p> <p>22 A No, I don't.</p> <p>23 Q So you don't know one way or another</p> <p>24 whether he actually used any rude language?</p> <p>25 A No. When my husband and I were</p>
<p style="text-align: right;">71</p> <p>1 A That's correct.</p> <p>2 Q Okay. And your complaint here says,</p> <p>3 "The passenger nearly fell on top of a passenger</p> <p>4 sitting in an aisle seat." Is it fair that he did</p> <p>5 not, in fact, fall on top of the other passenger</p> <p>6 seated in the aisle?</p> <p>7 A Well, he went down on him, and pushed</p> <p>8 himself back up again, to which the reclining</p> <p>9 passenger kind of pushed him back and then went --</p> <p>10 laid back down to go to sleep. He did not sit up</p> <p>11 or anything. He just raised his arm and pushed</p> <p>12 him back when the stewardess was -- was -- came,</p> <p>13 and that's when she spoke to him and said, "You</p> <p>14 cannot sit here. You must go back to your own</p> <p>15 seat."</p> <p>16 Q Okay. Did you witness the passenger do</p> <p>17 this -- I guess, this interaction with the aisle</p> <p>18 passenger and the passenger involved in the</p> <p>19 incident?</p> <p>20 A I did.</p> <p>21 Q Did you ever speak with the passenger</p> <p>22 that was involved in this incident?</p> <p>23 A No.</p> <p>24 Q And as you sit here today, you don't</p> <p>25 know what seat the passenger involved in this</p>	<p style="text-align: right;">73</p> <p>1 discussing it, when he finally had me speak to him</p> <p>2 about the incident -- when my husband finally had</p> <p>3 me speak to him about the incident, he was closer</p> <p>4 to the -- the man and he told me, but I did not</p> <p>5 hear, clearly, what he had said.</p> <p>6 Q Okay. And in paragraph 12, it says,</p> <p>7 "When the disturbance apparently ended, the</p> <p>8 plaintiff and her husband reclined to return to</p> <p>9 sleep. Approximately, one hour later, they were</p> <p>10 awakened, Ms. Mountain, hysterical, as the drunken</p> <p>11 man was in the aisle leaning on the bulkhead for</p> <p>12 support and urinating onto Ms. Mountain, finishing</p> <p>13 by shaking his penis. Mr. Mountain pushed the</p> <p>14 drunken man aside and rushed to the first class</p> <p>15 curtain for help." Did I read that correctly?</p> <p>16 A Yes.</p> <p>17 Q As you sit here today, is it your</p> <p>18 testimony that the incident occurred another hour</p> <p>19 after this initial current occurrence?</p> <p>20 A I don't know how long it was. I went</p> <p>21 into a very -- we reclined. I went into a very</p> <p>22 deep sleep, and I was awakened by what I thought</p> <p>23 was something crawling on my leg. I thought it</p> <p>24 was a bug or something and -- and I -- we have</p> <p>25 been traveling in the tropical areas, and you had</p>

<p style="text-align: right;">74</p> <p>1 to be careful of spiders and so on and so forth, 2 so I was in a deep sleep. I felt something on my 3 leg, and when I reached down to see what it was, 4 my hand was wet, and it -- it made me kind of sit 5 up a bit and turn, because I was laying on my left 6 side, facing the window, and turn, and to see this 7 guy leaning on the bulkhead with his penis in his 8 hand and urinating on me. And I screamed and 9 shook my husband, and he -- he rolled over and -- 10 and looked and pushed the guy and got up out of 11 his seat and went towards the first class -- my 12 husband went towards the first class section, and 13 the steward came back to see what was happening. 14 By this -- by the time the steward got there, the 15 disturbing passenger had gotten back into the 16 seat, in the center seat of aisle six, and the 17 steward was paying attention to me and my husband. 18 Q Okay. So let me -- let me go back a 19 bit. The aircraft departed around four, and then 20 the initial change of seat took place an hour 21 later, so that would around 5:00 a.m.; is that 22 right? 23 A I don't -- I didn't look at my watch. I 24 don't know what time it was. I -- I was -- the 25 whole thing, I'm trying to put out of my mind</p>	<p style="text-align: right;">76</p> <p>1 A No, I don't. I have no idea, whether he 2 has a friend or not. I don't know. He -- my 3 husband said that when he had the interaction with 4 the stewardess that what he was slurring was that 5 he wanted to sit with his friend. No one had -- 6 the gentleman that was reclined and sleeping made 7 no indication that he was a friend or not. 8 Q Was there -- so the center -- the aisle 9 seats -- the center section of seats, there are 10 three seats there; is that right? 11 A That's correct. 12 Q Okay. And there was a passenger that 13 was reclined in the seat directly next to your 14 husband across the aisle; right? 15 A That's correct. 16 Q Okay. And what about the other two 17 seats, were they occupied? 18 A The center seat was empty. The seat on 19 the opposite side of the plane, being the right 20 side of the plane in the -- that center section 21 was occupied by, it appeared to be a female, but 22 I'm not -- I'm not sure. Long hair, I remember 23 that. 24 Q Okay. 25 A I remember when -- when he fell into</p>
<p style="text-align: right;">75</p> <p>1 completely, and I was -- every time I think about 2 it, I am so shaken. I don't know what time it 3 was. I assume it was an hour later. It seemed 4 like forever until that plane landed, and it was, 5 I don't know, a 16-hour flight or whatever it was. 6 It couldn't have been -- it could have been four 7 hours later. I don't know the exact time. I'm 8 assuming. I was moved around so many times, and I 9 don't know what happened after that too much. I'm 10 sorry. 11 Q No. It's perfectly fine. Do you want 12 to take a break at all? 13 A I'm okay. I want to get this over with. 14 Please, continue. 15 Q Did you ever witness the passenger 16 involved in this incident being served any drinks 17 while on the aircraft? 18 A No. I didn't pay any attention to 19 anything else going on around the aircraft until 20 the two disturbing incidents: him falling over the 21 passenger to get to that seat that was not 22 assigned to him and when he urinated on me. 23 Q Do you know one way or the other whether 24 the passenger involved in this incident knew 25 anyone else on the aircraft or on row six?</p>	<p style="text-align: right;">77</p> <p>1 that center seat as such and had the interaction 2 with the stewardess, I'm pretty certain that 3 the -- the passenger in -- on the right-hand seat 4 on that side, I believe if it was a female, she 5 was sitting, and I think -- I'm pretty sure I 6 looked at her, and there was no -- didn't appear 7 to me that she recognized the gentleman at all 8 when the incident was happening. 9 Q Okay. And after this occurrence with 10 the passenger seated in the aisle took place, did 11 you personally believe that the passenger involved 12 in this incident was, obviously, very drunk? 13 A I made the assumption. 14 Q Did you raise any concerns with the 15 flight attendants? 16 A Not at that time, no. I don't feel that 17 it is my -- my job to make judgment. That is the 18 airline and the personnel that worked with the 19 airline to make the judgment whether the passenger 20 is drunk and if they're able to fly, if they're 21 able to serve them further drinks on board. That 22 is not my judgment. 23 Q Okay. And then after this -- prior to 24 this incident with the, you know, him changing 25 seats, had you fallen asleep at all within that</p>

<p style="text-align: right;">78</p> <p>1 one-hour period?</p> <p>2 A No. I had not, no.</p> <p>3 Q Okay. And then after that took place,</p> <p>4 you -- you fell asleep at some point. How long</p> <p>5 after that did you fall asleep?</p> <p>6 A We -- almost immediately.</p> <p>7 Q Okay.</p> <p>8 A Dropped down our seats and -- and we</p> <p>9 went to sleep. It was very late. As I said, we</p> <p>10 had boarded it at 3:00 in the morning or 4:00,</p> <p>11 whatever it is, and we had been up since 7:00 that</p> <p>12 morning, so.</p> <p>13 Q Sure. Let me back up. How long was</p> <p>14 this entire trip that you had through Dubai and --</p> <p>15 yeah, just this whole trip?</p> <p>16 A It was -- I believe, it was a</p> <p>17 three-week -- three-week trip altogether.</p> <p>18 Q So by the time your body had acclimated</p> <p>19 to the time zone of Dubai, I mean, it felt like</p> <p>20 3:00 in your body?</p> <p>21 A Well, I think there's a, like, a</p> <p>22 three-hour time zone or something between Dubai</p> <p>23 and Egypt. We had been -- in Egypt, which was,</p> <p>24 essentially, within an hour or so of each other</p> <p>25 and -- and then direct to Dubai. It was a -- I</p>	<p style="text-align: right;">80</p> <p>1 Q Ms. Mountain, I'll represent that this</p> <p>2 is a document that was produced which is</p> <p>3 Bates-stamped Mountain 36 to 37. Do you recognize</p> <p>4 this document?</p> <p>5 A I do.</p> <p>6 Q What is it?</p> <p>7 A It is the statement that my husband,</p> <p>8 David, has -- his recollection of the incident and</p> <p>9 what has happened to me since and what has</p> <p>10 happened to our life and my life and how I'm able</p> <p>11 to handle things.</p> <p>12 Q Okay. So this document was drafted by</p> <p>13 your husband?</p> <p>14 A Yes.</p> <p>15 Q Do you know when he drafted it?</p> <p>16 A No, I don't. He -- my husband spoke to</p> <p>17 our lawyer friend, Read McCaffrey.</p> <p>18 Q Let me interject. I don't need to know</p> <p>19 any conversations you've had with counsel.</p> <p>20 A Okay. But it -- he drafted it as a</p> <p>21 notice for him and to explain the situation and</p> <p>22 request his help in getting some help, if he --</p> <p>23 because he knows that Read has contacts with</p> <p>24 psychiatrists and at -- at the Cleveland Clinic</p> <p>25 and -- and wondered if he knew of anyone that</p>
<p style="text-align: right;">79</p> <p>1 think it was a three-hour flight to Dubai from,</p> <p>2 from Cairo. It was -- yes, we were acclimated.</p> <p>3 7:00 in the morning, I'm not -- our normal bedtime</p> <p>4 is, like, 11.</p> <p>5 Q Right.</p> <p>6 A In the evening.</p> <p>7 Q And when you went to sleep, were you</p> <p>8 using a blanket?</p> <p>9 A Yes, I was. It's a -- provided by the</p> <p>10 airline. It was more like a quilt kind of a</p> <p>11 thing.</p> <p>12 Q So this is thicker than, like, the</p> <p>13 economy class thin, blue blanket that passengers</p> <p>14 received? This is one of those kind of heavier</p> <p>15 quilts?</p> <p>16 A Yeah. Puffy, puffy type of quilt, yes.</p> <p>17 Q All right. I'm going to introduce</p> <p>18 what's going to be marked as Defendant's Exhibit</p> <p>19 4.</p> <p>20 (Exhibit 4 was marked for</p> <p>21 identification.)</p> <p>22 BY MR. THORNTON:</p> <p>23 Q Just give me one second. Sorry. Let me</p> <p>24 know when you can see what I've shared.</p> <p>25 A Okay.</p>	<p style="text-align: right;">81</p> <p>1 could help me through the stress that I was having</p> <p>2 and the problems I was -- I was having getting</p> <p>3 past this incident.</p> <p>4 Q Let me draw your attention here to</p> <p>5 something. This is in paragraph one, two -- this</p> <p>6 is paragraph four. On line three here, it says,</p> <p>7 "I had been in more of a fetal position because I</p> <p>8 have a bad back, and the man from 6E had leaned</p> <p>9 against the overhead and urinated all over</p> <p>10 Lenore's blanket-covered legs." Did I read that</p> <p>11 sentence correctly?</p> <p>12 A That's correct.</p> <p>13 Q Is that how you recall the incident,</p> <p>14 that the other passenger urinated on your legs,</p> <p>15 which was covered by a blanket?</p> <p>16 A It was covered by the blanket, and the</p> <p>17 blanket absorbed through to my clothes and the</p> <p>18 floor.</p> <p>19 Q Okay. So, yeah, going off the next</p> <p>20 sentence here, it says, "When she became aware of</p> <p>21 the moisture seeping through the blanket and her</p> <p>22 clothes, she awoke just after him shaking his</p> <p>23 penis after finishing his urination." Did I read</p> <p>24 that correctly?</p> <p>25 A Yes.</p>

<p style="text-align: right;">82</p> <p>1 Q Okay. So by the time you awoke, the</p> <p>2 passenger had finished urinating and was putting</p> <p>3 his penis away; is that correct?</p> <p>4 A He was still leaning against the</p> <p>5 bulkhead and shaking his penis and returning it</p> <p>6 inside his pants.</p> <p>7 Q But he -- and I apologize in advance</p> <p>8 for, you know, any crude language, but at the</p> <p>9 time, he wasn't still urinating when you woke up;</p> <p>10 right?</p> <p>11 A He was dripping.</p> <p>12 Q Other than your leg, did the passenger</p> <p>13 pee anywhere else?</p> <p>14 A My socks, my shoes, the -- the floor of</p> <p>15 the -- of the plane.</p> <p>16 Q Anywhere else?</p> <p>17 A I'm sure it was on the seat, soaked</p> <p>18 everywhere.</p> <p>19 Q The urine didn't get into your eyes or</p> <p>20 your mouth; right?</p> <p>21 A No, it did not.</p> <p>22 Q Did that passenger hit you at all?</p> <p>23 A Physically hit me?</p> <p>24 Q Correct.</p> <p>25 A With his hands or something, you mean?</p>	<p style="text-align: right;">84</p> <p>1 Q So was the passenger standing kind of in</p> <p>2 front of your husband's reclined seat?</p> <p>3 A Yes, over --</p> <p>4 Q Okay.</p> <p>5 A -- towards -- more towards the bulkhead.</p> <p>6 He was closer to the bulkhead than the center of</p> <p>7 the seating area.</p> <p>8 Q Okay. Did the passenger urinate over</p> <p>9 your husband at all, or did the passenger stand,</p> <p>10 you know, did he walk past your husband's legs to</p> <p>11 go, I suppose, in the corner?</p> <p>12 A No. He -- he stood over. He was in the</p> <p>13 aisle. He was not -- and David sleeps with his</p> <p>14 legs tucked up. He was in a fetal position. I</p> <p>15 don't know if my husband's seat had urine on it or</p> <p>16 not. I -- I don't know, I didn't touch it. I</p> <p>17 just shook my husband, I screamed, and I shook my</p> <p>18 husband. And he immediately came to attention and</p> <p>19 saw what was happening and pushed the passenger</p> <p>20 who was kind of walk -- he was standing, wobbling,</p> <p>21 and I just went into shock. I don't -- I remember</p> <p>22 the steward coming back with my husband, and I</p> <p>23 don't remember too much of anything after that. I</p> <p>24 remember them picking up -- I remember the steward</p> <p>25 asking me if I was wet and I said, "Yes." And he</p>
<p style="text-align: right;">83</p> <p>1 Q Correct. Was there any physical</p> <p>2 altercation between you two?</p> <p>3 A No.</p> <p>4 Q Did the urine cause any burns to your</p> <p>5 skin or anything like that?</p> <p>6 A No.</p> <p>7 Q Okay. So you -- you were then awoken,</p> <p>8 and you turned in and witnessed the -- scratch</p> <p>9 that. Did you witness the passenger putting his</p> <p>10 penis away?</p> <p>11 A Yes.</p> <p>12 Q Your glasses were not on at that time,</p> <p>13 or did you reach up and put them on before that?</p> <p>14 A I can see distance. My glasses were not</p> <p>15 on.</p> <p>16 Q Okay. And, I guess, I'm a little</p> <p>17 confused on the orientation of the aircraft. You</p> <p>18 were in the window seat?</p> <p>19 A I was.</p> <p>20 Q Okay. So how did the passenger get over</p> <p>21 to the window seat to urinate on your legs and get</p> <p>22 around your husband?</p> <p>23 A He leaned on the bulkhead and leaned in.</p> <p>24 My husband was in his seat, reclined, sleeping</p> <p>25 with his back to me.</p>	<p style="text-align: right;">85</p> <p>1 went forward. He brought some pajamas -- pajama</p> <p>2 bottoms for me. And he took me to the first class</p> <p>3 washroom to have me change and a bag -- gave me a</p> <p>4 bag to put my clothes in, my wet clothes, and I --</p> <p>5 I returned and -- and I -- I believe between my</p> <p>6 husband and him, they had -- they were bagging up</p> <p>7 or, my husband wasn't bagging, the steward was</p> <p>8 bagging the blanket in a plastic bag, a large</p> <p>9 plastic bag, and -- and I don't know how I got any</p> <p>10 other -- the next seat. The next place they -- he</p> <p>11 said that I couldn't -- and I don't know whether</p> <p>12 it was the steward said I couldn't sit there or my</p> <p>13 husband said she can't sit -- she can't sit in</p> <p>14 this, and I don't know, but they moved me to</p> <p>15 another seat.</p> <p>16 Q Okay. So your husband then got up --</p> <p>17 let me go back through some of this. Your husband</p> <p>18 got up and went to the first class cabin and spoke</p> <p>19 to a crew member. Do you -- do you know the name</p> <p>20 of that crew member?</p> <p>21 A No, I don't.</p> <p>22 Q Can you describe him?</p> <p>23 A He was a steward. He was a tall man.</p> <p>24 He had very thinning hair on top. He was Middle</p> <p>25 Eastern. I don't know of what nationality, but he</p>

<p style="text-align: right;">86</p> <p>1 was a fairly substantially built steward.</p> <p>2 Q And after the incident, is that the --</p> <p>3 did you interact with any other flight attendants</p> <p>4 or stewards or crew members?</p> <p>5 A Not that I recall, no. He was the only</p> <p>6 one. He came several times. Once they got me in</p> <p>7 the final seat that I was in, where they allowed</p> <p>8 my husband to come and finally join me. He came a</p> <p>9 couple of times and spoke to my husband, but,</p> <p>10 except for -- I did not hear what they were saying</p> <p>11 at the time except for the recollection from my</p> <p>12 husband explaining what had happened. I don't</p> <p>13 recall.</p> <p>14 Q Did you, yourself, speak to the crew</p> <p>15 member, or was your husband doing all the</p> <p>16 communication with that stewardess?</p> <p>17 A Speak to him about what?</p> <p>18 Q Did you speak at all to the -- to the</p> <p>19 crew members after the incident?</p> <p>20 A He asked me if I was wet. If -- if the</p> <p>21 man had -- he asked me what had happened, he</p> <p>22 questioned me about what had happened. He asked</p> <p>23 me, when I told him the incident, he reiterated to</p> <p>24 me. He said, "Did you witness his penis?" And I</p> <p>25 said, "Yes." He offered me, when I was in the</p>	<p style="text-align: right;">88</p> <p>1 A You mean clothing wise?</p> <p>2 Q Yeah. Anything else, clothing or</p> <p>3 otherwise?</p> <p>4 A No clothing, no blanket, nothing.</p> <p>5 Q Did you request any medical treatment?</p> <p>6 A No. I don't know. I don't think so.</p> <p>7 Q Did you speak to the other passenger</p> <p>8 that caused the incident at all?</p> <p>9 A No.</p> <p>10 Q And after the incident, you were</p> <p>11 relocated; right?</p> <p>12 A Yes.</p> <p>13 Q Do you know what seat you were first</p> <p>14 relocated to?</p> <p>15 A No, I don't.</p> <p>16 Q Do you know whether it was in the same</p> <p>17 row that you were already seated in?</p> <p>18 A I ended up in the same row at the end,</p> <p>19 but I do not know. I don't think that was the</p> <p>20 first seat. I felt like I was being moved a</p> <p>21 second time, but I don't know.</p> <p>22 Q Okay. When you were first moved, were</p> <p>23 you moved to a seat that was -- your husband could</p> <p>24 not sit next to you?</p> <p>25 A Correct.</p>
<p style="text-align: right;">87</p> <p>1 final seat when my husband was seated with me, I</p> <p>2 was -- he came over and he asked me if I was -- if</p> <p>3 I would like a cup of tea. Right after the --</p> <p>4 when he found out I was wet, he offered me the</p> <p>5 pajamas, but I -- other than that, I did not have</p> <p>6 any -- I did not speak to the...</p> <p>7 Q Okay. And you were given a change of</p> <p>8 pants; right?</p> <p>9 A They were pajama bottoms. He explained</p> <p>10 they were -- it was a pajama bottom from the first</p> <p>11 class section. They must give them pajamas when</p> <p>12 they board.</p> <p>13 Q Okay. Did you need any other</p> <p>14 clothing -- did you change into any other clothing</p> <p>15 other than the pajama bottoms?</p> <p>16 A I took my socks off and threw them away</p> <p>17 as well.</p> <p>18 Q Did they give you other socks to wear?</p> <p>19 A No.</p> <p>20 Q Did you -- were you -- in business</p> <p>21 class, were you provided with another pair of</p> <p>22 socks?</p> <p>23 A No.</p> <p>24 Q Other than the PJs, the PJ bottoms, did</p> <p>25 they give you anything else?</p>	<p style="text-align: right;">89</p> <p>1 Q And then you were relocated again to two</p> <p>2 seats so that you could both sit together; is that</p> <p>3 right?</p> <p>4 A Yes.</p> <p>5 Q And you believe that was row six?</p> <p>6 A I know it was row six. It was in the</p> <p>7 same seat. The same row in the seats that we were</p> <p>8 originally to have, and I could look down the row</p> <p>9 and see the guy -- the person reclined and having</p> <p>10 a very good sleep, by the looks of it. It was</p> <p>11 chilling.</p> <p>12 Q So were the two seats that you were</p> <p>13 moved to the window aisle on the opposite side of</p> <p>14 the aircraft?</p> <p>15 A From our original seats, they were on</p> <p>16 the opposite side of the aircraft, yes.</p> <p>17 Q And which one did you sit in, the aisle</p> <p>18 or the window?</p> <p>19 A The window.</p> <p>20 Q Were you offered two seats in first</p> <p>21 class?</p> <p>22 A After we were seated there, yes. My</p> <p>23 husband -- my husband said, did you want -- "They</p> <p>24 offered us seats in first class, did you want to</p> <p>25 move?" And I said, "No. I don't want any more</p>

<p style="text-align: right;">90</p> <p>1 attention. I disturbed the other passengers and I 2 don't want anyone to know what happened. I don't 3 want anyone questioning me." 4 Q Okay. So you declined those first class 5 seats that were offered? 6 A I'm sure we were -- must have been close 7 to landing anyway. It was -- it seemed like the 8 night had gone on forever after I was awakened. 9 Q Do you want to take a moment? 10 A I'd like to get this over with, please. 11 Q Okay. Do you know exactly when you were 12 offered the first class seats? 13 A No, I don't. Close to the -- the end of 14 the -- of the ordeal. 15 Q Do you know how long before landing you 16 were offered the first class seats? 17 A No, I don't. 18 Q Did you request that police be called 19 when you landed? 20 A I personally did not. 21 Q Did anyone? 22 A My husband did. 23 Q Who did he make that request to? 24 A The purser. The gentleman that had 25 originally assisted in getting the pajama bottoms,</p>	<p style="text-align: right;">92</p> <p>1 Emirates that you did not want to stick around for 2 police to arrive? 3 A I did not, no. 4 Q Do you know whether your husband did? 5 A No. I do not, no. I don't believe he 6 would do that. 7 Q After you relocated your seats, was the 8 flight uneventful from then forward? 9 A As far as I know, yes. 10 Q Did you have any meals after the 11 incident? 12 A No. 13 Q Were they offered to you? 14 A I don't remember. 15 Q Did you deplane with all the other 16 passengers? 17 A Yes. 18 Q Did you speak to any of the crew members 19 as you exited the aircraft? 20 A I did not. 21 Q You never thanked any of the crew 22 members? 23 A Not I, no. 24 Q Did you speak to the passenger involved 25 in the incident at all while you're deplaning or</p>
<p style="text-align: right;">91</p> <p>1 the cup of tea, and moving us around. He was the 2 only crew member that -- that did anything 3 involved with this incident. 4 Q And did that crew member let you know 5 that you would need to be present if you wanted 6 police to be contacted? 7 A Present where? 8 Q If they were going to call the police on 9 your behalf, that you would need to be present for 10 the police to arrive and tell them, you know, make 11 your claim to them? 12 A Well, that's a given, yes. I 13 understand -- I understood that -- were the police 14 called, I would have to testify, I would have to 15 give them a statement, I am -- I know that. 16 Q Did you have a connecting flight after 17 you arrived in Miami? 18 A No. Our car was parked in a -- in a 19 parking garage, and we were driving home for two 20 and a quarter hours, two and a half hours, I 21 guess, it is. 22 Q And when you say "home," you mean the 23 property in Naples? 24 A That's correct. 25 Q Okay. After the -- did you ever notify</p>	<p style="text-align: right;">93</p> <p>1 after you exited the aircraft? 2 A No. The steward came while -- before 3 we -- we landed, while we were still in flight, 4 the steward came and spoke to my husband and my 5 husband said -- told me that he had -- that the 6 steward had spoken to the passenger and that the 7 passenger wanted to come and apologize to me and 8 did I want that. And I told my husband, no, I did 9 not. I did not want to see him. I did not want 10 anything. I did not want any kind of an 11 interaction with him at all. 12 Q Okay. So just to confirm, you've never 13 spoken to the other passenger at all since the 14 incident through today or anything like that? 15 A I don't know who the other passenger 16 was. 17 Q Okay. 18 A I don't know his nationality. I don't 19 know what he looks like. No, I have not spoken to 20 him. 21 Q Do you know his name? 22 A No, I do not. 23 Q Okay. Could we take, like, a five-, 24 ten-minute break? I'm going to -- after this, I 25 think I'm going to move on from the incident</p>

<p style="text-align: right;">94</p> <p>1 itself. 2 (Off the record.) 3 BY MR. THORNTON: 4 Q So we are back after a brief break. I 5 just have a few more questions, you know, kind of 6 regarding the incident. Did you take any photos 7 after the incident? 8 A I personally did not take any photos. 9 My husband took a photo of the -- actually, the -- 10 I believe the steward took a photo of the floor 11 with the urine streaks on it and Air Dropped that 12 to my husband. Otherwise, I don't know how -- 13 David -- maybe David took it. Someone had a photo 14 of the -- anyway, he showed me afterwards, a 15 photo. My husband showed me after we got back to 16 Canada that Christmas, showed me a photo of the 17 floor of the aircraft and... 18 Q Okay. 19 A I -- that -- that's the only photo that 20 I know of. 21 Q Okay. And did you, other than when you 22 heard the passenger trying to, you know, change 23 his seats, did you hear the passenger involved in 24 this incident speaking any other time after then? 25 A No.</p>	<p style="text-align: right;">96</p> <p>1 A That's correct. 2 Q So the only conditions that you're 3 complaining of in this lawsuit are contained in 4 the report by Dr. Lubit; is that right? 5 A That's correct. 6 Q I -- can you -- can you -- I just 7 switched it over. Can you see the change? 8 A Yes. This is Dr. Lubit's report? 9 Q Yeah. Jumping ahead of me. So I'm 10 going to mark this as Defendant's Exhibit -- I 11 believe this is 5. 12 (Exhibit 5 was marked for 13 identification.) 14 BY MR. THORNTON: 15 Q Do you recognize this document? 16 A I do. 17 Q What is it? 18 A It is Dr. Lubit's report on the therapy 19 sessions that we have had in the past and his 20 acknowledgment or interpretation of -- of why I 21 have resulted in -- in the feeling and the 22 problems that I have resulting from this incident, 23 and it's a report of how he -- what he found when 24 he was helping me. 25 Q Okay. And I'll -- I'll represent that</p>
<p style="text-align: right;">95</p> <p>1 Q I want to share my screen with you, 2 which is going to be the complaint. I'm going to 3 draw your attention to paragraph 16 which says, 4 "The drunken man told the purser he had too much 5 to drink in the airport and should not have 6 boarded the plane." You never heard him say that; 7 right? 8 A I personally did not hear him say that. 9 The purser reiterated that to my husband, and my 10 husband, when we were discussing it finally at 11 Christmastime, he told -- my husband told me that. 12 I did not hear that statement, though. 13 Q Okay. Now, I want to share my screen 14 again, which is going to be your answers to 15 interrogatories. Can you see where I've shared? 16 A Yes. 17 Q Okay. And this is interrogatory No. 9 18 in which we ask you to describe each injury for 19 which you are claiming damages in this case, 20 specifying the part of the body that was injured, 21 the nature of the injury, and as to any injuries 22 you contend are permanent, the effects on you that 23 you claim are permanent, and in response, you 24 said, Please see report by Dr. Roy Lubit; is that 25 right?</p>	<p style="text-align: right;">97</p> <p>1 these were -- this was produced in response to 2 request for production, which is Bates-stamped, 3 Mountain 0029 through Mountain 0034? 4 A Yes. Okay. Correct. 5 Q All right. It says here that your -- 6 well, scratch that. Based on this report, it 7 appears that he diagnoses you or mentions PTSD and 8 major depression; is that right? 9 A Yes. 10 Q All right. And you first started 11 treating with Dr. Lubit on April 3rd, 2023; is 12 that right? 13 A Correct. 14 Q And that's almost four months after the 15 incident? 16 A Correct. 17 Q Did you treat with anyone else during 18 that four-month period? 19 A No. 20 Q Okay. And according to this report, you 21 attended six sessions from April 3rd to 22 April 17th; is that right? 23 A Correct. 24 Q Where is Dr. Lubit located? 25 A He's in New York.</p>

<p style="text-align: right;">98</p> <p>1 Q All right. Did you fly to New York for 2 these sessions?</p> <p>3 A No. All of these sessions were by -- by 4 phone or video.</p> <p>5 Q How many of these six sessions were on 6 the phone?</p> <p>7 A I don't recall. The beginning ones were 8 on the phone because I couldn't get the video 9 working on my phone or on my iPad. The last few 10 were definitely -- the last, I'd say -- definitely 11 two of them, three, possibly, were on video on my 12 iPad.</p> <p>13 Q Okay. And why did you decide to hire 14 Dr. Lubit in New York, as opposed to a 15 psychiatrist in your area?</p> <p>16 A It was recommended to us by our -- he 17 was recommended to us by our lawyer.</p> <p>18 Q Had you ever treated with Dr. Lubit in 19 the past?</p> <p>20 A No, I have not. In Canada, the mental 21 health treatment, we -- yes, we have a wonderful 22 health coverage, but the line, especially after 23 COVID, the patients -- there's quite a number of 24 patients and the lines of -- the length of waiting 25 time to get any mental health. I don't know any</p>	<p style="text-align: right;">100</p> <p>1 that, you know, I didn't -- I didn't want anybody 2 to know about this. I didn't want -- it was the 3 middle of the night and it was -- it was an 4 incident that I was -- I was shocked. I -- I 5 couldn't believe it was happening. I never had 6 anything like that happen before. I -- you know, 7 he was just asking me what my feelings were about 8 it -- what -- how it was affecting me and...</p> <p>9 Q Okay. And you didn't make a disturbance 10 or anything on the aircraft?</p> <p>11 A Other than awaking my husband and -- and 12 I tried not to. I wanted to keep it totally -- it 13 was embarrassing, totally embarrassing. It still 14 is. I have not -- I have not even told my 15 children about it. My husband is the only one of 16 my family that knows anything about this.</p> <p>17 Q Okay. And so you weren't loudly sobbing 18 or anything on the aircraft?</p> <p>19 A My husband tells me I was, but I -- I 20 don't remember. I tried not to be, but I wasn't 21 screaming and yelling, I don't think. I don't 22 know.</p> <p>23 Q Okay. So I assume that, you know, these 24 questions about what happened on the incident 25 would have been that first session you had with</p>
<p style="text-align: right;">99</p> <p>1 psychiatrists -- I've -- here in Canada. I don't 2 know where any would be located if there's any 3 close to our home or not, but when we're traveling 4 between homes, I felt that it was better with a 5 recommendation of somebody -- from somebody that 6 knew Dr. Lubit himself. The only other person 7 that I've spoken to about this incident is -- is 8 my general practitioner, Dr. Gatfield. He is now 9 helping me cope with -- with these issues and 10 supporting me, as well as my physical health. 11 He's -- he's concerned with my -- my mental health 12 as well.</p> <p>13 Q Okay. Do you know anyone else that 14 treated with Dr. Lubit?</p> <p>15 A No, I don't.</p> <p>16 Q What was involved in each of these 17 sessions that you would have with Dr. Lubit?</p> <p>18 A Dr. Lubit would just -- he would 19 generally chat. He would ask me about my 20 background and so on, and how I was feeling, and 21 what kind of things -- you know, how -- he wanted 22 me to tell him about the incident -- and I did. 23 He questioned me as to why I didn't -- he said a 24 normal person -- normally, the reaction is to yell 25 and scream and cause a disturbance, and I told him</p>	<p style="text-align: right;">101</p> <p>1 Dr. Lubit; right?</p> <p>2 A Well, they continued through to about 3 how I felt about it now. You know, who did I 4 feel -- did I feel anger towards the passenger, 5 should I have done something to him, should -- you 6 know, whatever. I don't want to the know who the 7 passenger was, I don't. I felt that I should have 8 been given a little bit more respect. Then -- why 9 was I the one that was being treated as I was, 10 moved around, and -- and why would they allow -- I 11 thought the airlines were to provide safe passage 12 for the passengers that booked with them. It was 13 their job to make sure that there weren't 14 disturbing passengers on the airplane and...</p> <p>15 Q Okay.</p> <p>16 A Anyway, I just -- I -- I feel that I had 17 been -- I had been treated as if I am the problem 18 and not him.</p> <p>19 Q Okay. So going back to these sessions. 20 How long would each session last?</p> <p>21 A In the beginning, they were -- they were 22 fairly short, but then as I got to know Dr. 23 Lubit -- some of them went on for an hour, two 24 hours. Mainly, most of them were an hour long.</p> <p>25 Q And when you say "in the beginning, they</p>

<p style="text-align: right;">102</p> <p>1 were short," how long do you mean?</p> <p>2 A Oh, forty-five minutes, maybe. They</p> <p>3 were never any shorter than half an hour. And</p> <p>4 that -- if -- if they were short -- Dr. Lubit</p> <p>5 would make time for me. Any time that I needed</p> <p>6 him, he would want me to call two and three times,</p> <p>7 but I -- I tried to involve myself back into our</p> <p>8 regular-type schedule. We had to come home early</p> <p>9 and, you know, it would -- we were moving from the</p> <p>10 U.S. back to -- to Canada because of -- my</p> <p>11 husband's brother-in-law had died, and then it was</p> <p>12 Christmas, so and they were kind of spread out a</p> <p>13 little bit and, you know, if -- I tried</p> <p>14 desperately to call Dr. Lubit before Christmas,</p> <p>15 but I couldn't get into it, I couldn't. He waited</p> <p>16 for me to call. It was -- and he reiterated to me</p> <p>17 that any time that I need him.</p> <p>18 Q Okay.</p> <p>19 A Just call him.</p> <p>20 Q Okay. Have you ever met Dr. Lubit</p> <p>21 personally?</p> <p>22 A Not in person, just over the cameras.</p> <p>23 Q Have you treated with Dr. Lubit since</p> <p>24 April 17th, 2023?</p> <p>25 A I have not treated with Dr. Lubit since</p>	<p style="text-align: right;">104</p> <p>1 these phone or video sessions?</p> <p>2 A With Dr. Lubit?</p> <p>3 Q Yes.</p> <p>4 A Such as? What -- you mean for personal</p> <p>5 treatment?</p> <p>6 Q Yes. For treatment with him, did you do</p> <p>7 anything other than these phone or video sessions?</p> <p>8 A I tried to involved myself back into my</p> <p>9 regular routine, which it's coming, but it's slow.</p> <p>10 It's -- it is tough, it's -- it's not there yet.</p> <p>11 Q Okay. And do you have any appointments</p> <p>12 scheduled with Dr. Lubit?</p> <p>13 A No, I do not.</p> <p>14 Q Other than Dr. Lubit, have you treated</p> <p>15 with anyone else as a result of this incident?</p> <p>16 A Dr. Gatfield.</p> <p>17 Q And is that with respect to PTSD and</p> <p>18 major depression as well?</p> <p>19 A He knows about the incident. I've told</p> <p>20 him about it. He made a personal phone call to me</p> <p>21 and -- and has set aside an appointment for me to</p> <p>22 come in and talk to him about it. He reassured me</p> <p>23 that I had done nothing wrong, that it was not my</p> <p>24 fault, and that he was very supportive. He made</p> <p>25 an appointment for me, made a time for me again</p>
<p style="text-align: right;">103</p> <p>1 I came back from our trip overseas. I -- I talked</p> <p>2 to Dr. Lubit a couple of days before we left for</p> <p>3 our trip to Italy and Croatia and -- but I have</p> <p>4 not called him since I've been with -- talking</p> <p>5 with Dr. Gatfield since.</p> <p>6 Q And when was your trip to Italy and</p> <p>7 Croatia?</p> <p>8 A In May, late May of this year. I don't</p> <p>9 recall the exact date. We returned home the</p> <p>10 second -- no. The 28 -- 27th, 28th of June, but I</p> <p>11 believe it was late May, close to the 29th of May</p> <p>12 that we left to go to Italy.</p> <p>13 Q Okay. And between April 17th and late</p> <p>14 May, did you treat with Dr. Lubit?</p> <p>15 A Yes, I did.</p> <p>16 Q How many times?</p> <p>17 A I don't recall how many times. I didn't</p> <p>18 keep track of it.</p> <p>19 Q Do you know in a month, how many --</p> <p>20 approximately, how many times you might have</p> <p>21 treated with him?</p> <p>22 A Probably three, maximum four times.</p> <p>23 It -- generally, I -- I would talk to him every</p> <p>24 week.</p> <p>25 Q Okay. Did you do anything other than</p>	<p style="text-align: right;">105</p> <p>1 just last week, and I went in and spoke to him</p> <p>2 again about it about -- and it was totally about</p> <p>3 my mental health. There was nothing -- I don't</p> <p>4 have any physical ailments or needs that -- that</p> <p>5 he needs to be aware of, and he's very observant.</p> <p>6 He's -- I've been with Dr. Gatfield for a very</p> <p>7 long time. So he knows both, and he is also my</p> <p>8 husband's personal physician, so we're very</p> <p>9 comfortable with him and he with us.</p> <p>10 Q How many times did you treat with</p> <p>11 Dr. Gatfield with respect to this incident?</p> <p>12 A Twice.</p> <p>13 Q And do you have any appointments</p> <p>14 scheduled?</p> <p>15 A No. Not at this time. If I asked him</p> <p>16 for an appointment, this afternoon, and he were in</p> <p>17 the office, Dr. Gatfield would make room for me.</p> <p>18 He has told me that.</p> <p>19 Q Okay. Other than the treatment that</p> <p>20 we've discussed with Dr. Lubit and Dr. Gatfield,</p> <p>21 have you seen any other doctors or visited any</p> <p>22 other medical facilities as a result of this</p> <p>23 incident?</p> <p>24 A No.</p> <p>25 Q Okay. Looking at this report from Dr.</p>

<p style="text-align: right;">106</p> <p>1 Lubit, he mentioned here that your early life, 2 that your father died in a construction accident 3 when you were eight, and your mother was a 4 difficult person, irritable. What do you mean 5 about your mother being difficult and irritable? 6 A Well, given the fact that she was left 7 with four children on her own, children aged from 8 under a year old up to eight -- nine years old, my 9 brother is 17 months older than I, and there were 10 four of us, she had a grade nine education. She 11 worked hard to provide for us. There was no 12 insurance money. She had a difficult plate. She 13 was very -- very controlling of we children, very 14 demanding of we children, and we complied. She 15 had her own ways, she was brought up in -- during 16 the -- just after the depression, lived on the 17 prairies, and I think she was, my personal opinion 18 was that -- and I don't know this for a fact, but 19 my personal opinion was that she was very upset 20 that my father had burdened her with four children 21 to raise on her own, which, she did an amazing 22 job. All four of us have done well, three of us 23 have married. My brother has never married. And 24 my baby sister is the only one that ever divorced. 25 The -- my sister next to me is still with her</p>	<p style="text-align: right;">108</p> <p>1 Q Okay. And then you're also taking 2 vitamins, potassium, and those are the only 3 prescriptions you had? 4 A Yeah. I had the two prescriptions at the 5 time, Dr. Lubit in September. Dr. Gatfield 6 prescribed blood pressure medication because my 7 blood pressure has risen, partly because of age 8 and because of this incident wearing on me as 9 well. 10 Q Okay. Do you take any other medication? 11 A Just natural vitamins. Nothing -- just 12 over-the-counter vitamins. Dr. Lubit had 13 prescribed a -- a sleeping medication to me. He 14 said that it would help, it was nonaddictive, and 15 I should try it, so I -- I didn't want to try it. 16 I did fill the prescription, I took one-half of 17 the pill, and I did not like the feeling. I felt 18 foggy and groggy and whatever, after taking half 19 one night. I did not take any further medication 20 for sleeping after that and I have not. 21 Dr. Gatfield had offered me a sleeping medication 22 and -- and I said, "No, I do not like taking 23 medication of any sort, if I can get away with 24 it." The diuretic I need, the statin, is a need. 25 My sister, my brother, have had heart issues.</p>
<p style="text-align: right;">107</p> <p>1 original husband, as I am, and we both married 2 very young. Wonderful husbands who, my mother 3 didn't necessarily approve of, but she knows they 4 did well for us. 5 Q And your mother has passed? 6 A My mother died at 87, yes. 7 Q And did you provide any care for her in 8 her late years? 9 A I would go and visit her. Physical 10 care, no. She was in the nursing home when she -- 11 she needed to go -- to my youngest sister, who is 12 a nursing assistant, she was the main caregiver, 13 main contact for her care because I was out of the 14 country in Quebec, not living in the town. My 15 sister's always lived in the town, so she was the 16 caregiver, the main caregiver, and had the 17 responsibility for my mother. 18 Q Okay. And looking at -- going back to 19 this Dr. Lubit report, you mentioned some 20 prescriptions, what is Amilzide? 21 A It's the diuretic that I take that 22 Dr. Gatfield has prescribed to me. 23 Q Okay. And what's Sandoz Pravastatin? 24 A That's the statin, that's for 25 cholesterol.</p>	<p style="text-align: right;">109</p> <p>1 There's heart issues in my father's family, and 2 Dr. Gatfield says statin should be put in the 3 water the same as -- as fluoride, it is for your 4 teeth, everybody should be taking a statin, and 5 now I'm on this medication for -- for blood 6 pressure. 7 Q Okay. All right. With respect to your 8 PTSD, how does that condition currently affect 9 you? 10 A Not wanting to interact with -- outside 11 of my home very often. With friends, I do it, I 12 try and stay in the protection of -- of family, 13 if -- if I can. I -- I don't do very much with my 14 friends anymore, as far as golfing or socializing. 15 I -- I have started going back to having lunches 16 with a group of girls that I was constantly with 17 in Stratford, but it's -- I don't -- I don't like 18 being in crowds. I force myself to having social, 19 inner people coming into our home. I -- we used 20 to have dinner parties here all the time for 21 dinner. Our social life is -- is substantially 22 reduced. Even in Florida our social life is 23 reduced. 24 Q Okay. And what about your depression? 25 How does that currently affect you, or are they</p>

<p style="text-align: right;">110</p> <p>1 the kind of same issues?</p> <p>2 A Every time I think about this incident,</p> <p>3 I break down. I can't sleep. I wake up in the</p> <p>4 middle of the night, wondering where my husband</p> <p>5 is, if he's there for me. What's going to happen</p> <p>6 to him. If he's not there the next time. The --</p> <p>7 I never had any reactions before about being on my</p> <p>8 own. I am an independent person, I married young,</p> <p>9 we made our way, we worked hard. I -- I just, it</p> <p>10 has changed my life substantially, socially,</p> <p>11 interactively with family. I -- want family</p> <p>12 around, but I don't like people around very much.</p> <p>13 Just -- I just worry about what's going to happen</p> <p>14 when he's gone. It has shaken me.</p> <p>15 Q Okay. Are you currently able to drive?</p> <p>16 A Am I able to drive, yes.</p> <p>17 Q Yes. Do you have any issues driving?</p> <p>18 A I don't drive very often other than to</p> <p>19 get groceries and stuff without my husband with</p> <p>20 me.</p> <p>21 Q Has that changed at all because of this</p> <p>22 incident?</p> <p>23 A I don't go shopping anymore other than</p> <p>24 for groceries. I -- if I need anything, I order</p> <p>25 it and have it shipped to the house, so I don't</p>	<p style="text-align: right;">112</p> <p>1 A Specifically as a result of this</p> <p>2 incident.</p> <p>3 Q And what about on October 10th, was that</p> <p>4 also in person?</p> <p>5 A Yes, it was.</p> <p>6 Q Did you ever go to the ER and treat with</p> <p>7 anyone else for any bodily injuries?</p> <p>8 A Regarding this incident?</p> <p>9 Q Yes.</p> <p>10 A No.</p> <p>11 Q Okay. So you're not claiming any bodily</p> <p>12 incident as a result of this incident, just</p> <p>13 emotional distress, PTSD, depression?</p> <p>14 A Correct.</p> <p>15 Q How would you describe your current</p> <p>16 condition?</p> <p>17 A Marginal. Good days, bad days. Days</p> <p>18 when I'm not occupied with other things, going</p> <p>19 somewhere, thinking. I'm not sleeping still.</p> <p>20 Q Has your treating with Dr. Lubit or</p> <p>21 Dr. Gatfield helped at all?</p> <p>22 A It has. I'm much better than I was, I</p> <p>23 feel, but I still feel I have -- I know I have a</p> <p>24 ways to go. I'm trying hard. I don't like</p> <p>25 depending on someone else, but I can't do this on</p>
<p style="text-align: right;">111</p> <p>1 have to go out in public alone. I like to stay on</p> <p>2 the farm or in my house in Florida when we were in</p> <p>3 Florida. Other than going to club -- to the club</p> <p>4 for dinner, doing maintenance issues down there.</p> <p>5 We -- I don't -- we don't go out to Artis or to</p> <p>6 the movie or to anywhere, didn't golf.</p> <p>7 Q Okay. When was the last time that you</p> <p>8 treated with any doctor with respect to your</p> <p>9 depression or PTSD in May of 2023?</p> <p>10 A It was with Dr. Lubit, and I don't</p> <p>11 recall exactly what date.</p> <p>12 Q Okay. But you believe it was late May,</p> <p>13 2023, when you went to Italy, Croatia; right?</p> <p>14 A With Dr. Lubit, yes.</p> <p>15 Q Okay.</p> <p>16 A Other than that, since then, I've</p> <p>17 treated with Dr. Gatfield, the end of September.</p> <p>18 I'm sorry. The end of August. The end of August,</p> <p>19 and on the tenth of October.</p> <p>20 Q Okay. Did you go to see Dr. Gatfield in</p> <p>21 person?</p> <p>22 A Yes, I did.</p> <p>23 Q Were you there for general physicals, or</p> <p>24 did you go there specifically as a result of this</p> <p>25 incident?</p>	<p style="text-align: right;">113</p> <p>1 my own.</p> <p>2 Q Okay.</p> <p>3 A I feel that I'm intelligent enough to</p> <p>4 accept the fact that I can't do this on my own.</p> <p>5 Q Okay. And on a scale of 1 to 10, how</p> <p>6 would you rate your depression or, you know,</p> <p>7 symptoms that -- that it has for you?</p> <p>8 A Which day, what time of the day, what</p> <p>9 time of the night?</p> <p>10 Q I guess, on average?</p> <p>11 A Right now, we're -- right now while</p> <p>12 you're questioning me, it's horrible. It's just,</p> <p>13 I can -- I can see it all over again. It's</p> <p>14 just -- and I think -- our son lives on the</p> <p>15 property, and if he ever walked in here and saw me</p> <p>16 like this, he would go -- he would just -- he</p> <p>17 would panic. He would -- I'm just afraid how</p> <p>18 people will react. I don't know. I don't know</p> <p>19 how to handle my reactions when they do that.</p> <p>20 Q Okay. So did you want to take a moment</p> <p>21 or?</p> <p>22 A I would. I would.</p> <p>23 Q We can take like three minutes, if you</p> <p>24 want and come back at 1:30 or?</p> <p>25 A I'll just catch my breath, I'll just</p>

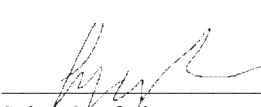

<p style="text-align: right;">114</p> <p>1 catch my breath. I just keep thinking of what 2 Dr. Gatfield keep saying to me, "Lenore, Lenore, 3 you are in charge. Don't let the bad guys win, 4 don't let the bad guys win." I'm not sure what 5 they're supposed to win, other than my emotional 6 state falling apart completely. 7 Q What do you mean "don't let the bad guys 8 win," who is the bad guys? 9 A I don't know who the bad guys are. I 10 just feel like I'm being overwhelmed by this 11 feeling of I did something wrong. Who are the bad 12 guys? They are the bad guys that think I did 13 something wrong. I didn't. I should have 14 reacted. I should have -- I should have been more 15 forceful during my -- Dr. Gatfield has -- has -- 16 he said that to me, it made me feel so much better 17 that I was in charge. I'm in charge of my life. 18 They can't do this to me. I can get control of 19 it. With help, I can get control of it. 20 Q And when you say "they can't do this to 21 me," who are you referring to? 22 A Oh, this is affecting me. This is -- 23 Dr. Gatfield assured me that I did nothing wrong 24 and -- and that, you know, with time, this'll all 25 go away, and I'm hoping that it will. I'm hoping</p>	<p style="text-align: right;">116</p> <p>1 A Now, I'm probably a 6 -- 5 or 6. 2 Q And what about prior to your treating 3 with Dr. Lubit? 4 A I -- I just -- I just felt like a scale 5 of 1 or 2. 6 Q So let me -- let me clarify, when I said 7 1 to 10, 10 being the most severe. 8 A Oh, oh. 9 Q So would that mean that you would be -- 10 A No. No. The other way around, the 11 lowest -- the lowest scale is -- for me, 1 or 2 12 would be the lowest, I felt. I was just a basket 13 case. I still feel like I'm somewhat, but it's 14 getting better. The basket is getting -- at least 15 it's manageable. 16 Q Okay. So if I were to inverse those 17 numbers so that 10 is the most severe, before 18 treating with Dr. Lubit, you would be at an 8 or 9 19 out of 10, and after treating with Dr. Lubit, you 20 would be a 4 or 5; is that right? 21 A Yes. I would say that -- or, yes. At 22 the end of his sessions, not at the beginning. By 23 the end of his sessions, I was feeling much better 24 about myself, and I was -- I was feeling I was not 25 looking forward to the flight over to Italy, but I</p>
<p style="text-align: right;">115</p> <p>1 we'll get this all said and done, and I'll be able 2 to forget about it, get on with my life. 3 Q Okay. You mentioned before that some 4 people made you feel that you did something wrong. 5 Who were you referring to exactly? 6 A Well, why was I the one that was being 7 moved around and, you know, if any of the other 8 passengers saw it, why was I the one who was being 9 treated like that? Why -- why did nobody from 10 Emirates customer service ever contact me to find 11 out how I was doing. Why -- why wasn't I assured 12 that there would be a report go in? There's been 13 nothing. I thought the captain of an airplane was 14 responsible for his passengers, the care and 15 well-being of the passengers while they were under 16 his charge. I heard nothing, nothing from Air 17 Emirates at all about anything other than when we 18 decided something had to be done. 19 Q Okay. Let me go back to a couple of 20 these questions. I asked you earlier on a scale 21 of 1 to 10 how your PTSD and depression, how you 22 feel about that -- let me re-ask that, and I 23 guess, I would ask on an average day, on a given 24 day, how would you rate them on a scale of 1 to 25 10?</p>	<p style="text-align: right;">117</p> <p>1 thought, I can handle this, I can do it. 2 Q You don't currently have any 3 appointments scheduled as a result of this 4 incident; right? 5 A No, I don't. 6 Q And you're not taking any medication 7 with respect to this incident? 8 A Other than the blood pressure 9 medication. Whether it's -- I would say it's 10 partly caused by this incident. I'm not a medical 11 person. I don't know that for sure. 12 Q Has any doctor told you that? 13 A That it is related to this incident? 14 Q Correct. 15 A No. 16 Q Do you have any other ailments that we 17 haven't discussed? 18 A Arthritis. 19 Q I meant related to this incident, sorry? 20 A Oh, no. No, I don't. 21 Q Have we now discussed all of the 22 treatment that the claim is, related to this 23 incident? 24 A Yes. 25 Q Do you know what kind of future care you</p>

<p style="text-align: right;">118</p> <p>1 might need?</p> <p>2 A I've got to have some -- either some</p> <p>3 sort of medical, mental health with Dr. Gatfield</p> <p>4 or Dr. Lubit. I did feel comfortable with</p> <p>5 Dr. Lubit. I would prefer to be with a</p> <p>6 psychiatrist that I could go and visit in person</p> <p>7 as opposed to a video, but if I don't feel</p> <p>8 comfortable talking about it to another one, then</p> <p>9 I would return to Dr. Lubit.</p> <p>10 Q Okay. And his report was from back in</p> <p>11 April 21st, 2023, and you'd attended six sessions.</p> <p>12 Between April 21st, 2023, to today, do you know</p> <p>13 how many additional sessions you'd, approximately,</p> <p>14 had with Dr. Lubit?</p> <p>15 A No, I don't. I -- I had spoke to Dr.</p> <p>16 Lubit just a couple, a few days before we flew to</p> <p>17 Italy, but I had been speaking with him on a</p> <p>18 regular basis during the month of May and after</p> <p>19 this report was produced.</p> <p>20 Q Okay. And this would have been April</p> <p>21 21st, so there would be another week in April and</p> <p>22 then either three or four weeks in May. And you</p> <p>23 said you attended them, approximately, once a</p> <p>24 week. Do you think that you saw him more than</p> <p>25 five times or spoke to him?</p>	<p style="text-align: right;">120</p> <p>1 Q Yeah. With respect to your treatment</p> <p>2 with Dr. Lubit?</p> <p>3 A Dr. Lubit has not billed me for any</p> <p>4 treatment.</p> <p>5 Q Do you know if those were being offered</p> <p>6 as a letter of protection?</p> <p>7 A I don't know what a letter of protection</p> <p>8 is.</p> <p>9 Q And Dr. Gatfield, is that provided under</p> <p>10 the -- in the universal healthcare that Canada</p> <p>11 offers?</p> <p>12 A Yes, it is. And as far as my medical</p> <p>13 prescriptions go, once you turn 65 in Canada,</p> <p>14 there was a small fee -- an annual fee of, like,</p> <p>15 \$100, but the pharmacy provides those -- all the</p> <p>16 prescriptions or the majority of the prescriptions</p> <p>17 that are eligible, as part of our -- our</p> <p>18 healthcare plan with a small fee to provide them</p> <p>19 by the pharmacy. Like, \$6 or something like that,</p> <p>20 per prescription, for those that are eligible</p> <p>21 under the prescription plan.</p> <p>22 Q Okay. Are you aware of any outstanding</p> <p>23 liens for any medical expenses?</p> <p>24 A We don't have medical expenses in</p> <p>25 Canada. They're all provided under our healthcare</p>
<p style="text-align: right;">119</p> <p>1 A I -- I don't -- I don't know. I didn't</p> <p>2 keep track. I really -- I would -- somewhere</p> <p>3 between three and five times I -- I would assume.</p> <p>4 Q Okay. What pharmacy do you fill out any</p> <p>5 prescriptions?</p> <p>6 A At the Jackson Pharmacy in St. Mary's.</p> <p>7 It's now referred to as -- I think it was just</p> <p>8 sold within the last couple years, Sunshine</p> <p>9 Pharmacy, Sunshine Jackson Pharmacy, I believe.</p> <p>10 Q Do you know the address?</p> <p>11 A It's on Wellington Street south in the</p> <p>12 town of St. Mary's, Ontario.</p> <p>13 Q And for Dr. Gatfield, does he work out</p> <p>14 of a hospital, or does he have his own practice?</p> <p>15 A He works out of the wellness center.</p> <p>16 It's a -- he is the chief of staff for the</p> <p>17 wellness center for -- it is called Happy Valley.</p> <p>18 There are a number of -- of doctors within the</p> <p>19 group. He is the chief of staff.</p> <p>20 Q Do you know the address the street's on?</p> <p>21 A It is on Maiden Lane in St. Mary's,</p> <p>22 Ontario.</p> <p>23 Q Has insurance paid for any of your</p> <p>24 medical expenses?</p> <p>25 A My medical expenses?</p>	<p style="text-align: right;">121</p> <p>1 program.</p> <p>2 Q Okay. And I assume that there's no lien</p> <p>3 for those services in the United States; right?</p> <p>4 A Not that I'm aware of, no.</p> <p>5 Q Okay.</p> <p>6 A I did discuss -- I did discuss with Dr.</p> <p>7 Lubit, back in April, his fees and -- and I</p> <p>8 believe his fees are normally, like, \$600 an hour.</p> <p>9 Q And what did -- you know, what did that</p> <p>10 discussion entail? What did he tell you about his</p> <p>11 fees?</p> <p>12 A I asked him specifically how much I</p> <p>13 would -- I owed him for the fees, his fees and</p> <p>14 he -- he said we'll work that out at another time.</p> <p>15 I want to make sure that you're healthy first.</p> <p>16 Q Okay. So you have not seen any invoices</p> <p>17 from Dr. Lubit; right?</p> <p>18 A No, I have not.</p> <p>19 Q Okay. With respect to your daily life</p> <p>20 as you sit here today, are you able to get out of</p> <p>21 bed on your own?</p> <p>22 A Yes.</p> <p>23 Q Are you able to --</p> <p>24 A You mean, physically -- physically?</p> <p>25 Q Yup.</p>

<p style="text-align: right;">122</p> <p>1 A Yes.</p> <p>2 Q Are you able to bathe yourself?</p> <p>3 A Yes.</p> <p>4 Q Do you brush your own teeth?</p> <p>5 A I have a hot tub every night.</p> <p>6 Q Are you able to brush your own teeth?</p> <p>7 A Yes.</p> <p>8 Q And are you able to dress yourself?</p> <p>9 A Yes.</p> <p>10 Q Are you able to prepare your own food?</p> <p>11 A I prepare for a lot of people a lot of</p> <p>12 times and my own.</p> <p>13 Q Are you able to feed yourself?</p> <p>14 A Yes.</p> <p>15 Q Does anyone assist you with your home</p> <p>16 daily activities?</p> <p>17 A I have a house cleaner. Other than</p> <p>18 that, general maintenance, my husband assists.</p> <p>19 Other than that, no.</p> <p>20 Q And you had the house cleaner before the</p> <p>21 incident; right?</p> <p>22 A Yes.</p> <p>23 Q And you're able to drive?</p> <p>24 A Yes, I am.</p> <p>25 Q And you're able to partake in outdoor</p>	<p style="text-align: right;">124</p> <p>1 Q Trip-and-fall incidents?</p> <p>2 A Oh, no, no.</p> <p>3 Q Have you ever been involved in any</p> <p>4 slip-and-fall incidents?</p> <p>5 A No, I have not.</p> <p>6 Q Have you ever been involved in any auto</p> <p>7 accidents?</p> <p>8 A Years ago, yes.</p> <p>9 Q What happened?</p> <p>10 A I slid on ice and hit the back of a -- a</p> <p>11 truck.</p> <p>12 Q Were you injured?</p> <p>13 A No, I was not. It just very slightly --</p> <p>14 I slid into the truck. And there was no damage to</p> <p>15 the truck. The front of my car, because the</p> <p>16 bumper, they're mainly made of plastic, I had to</p> <p>17 replace the bumper. That was it.</p> <p>18 Q Okay. Have you been involved in any</p> <p>19 traumatic events in the past?</p> <p>20 A My father dying.</p> <p>21 Q Anything else?</p> <p>22 A Nothing that comes to mind that was so</p> <p>23 traumatic that it has shaken me to the core, no,</p> <p>24 nothing.</p> <p>25 Q After your father had passed, did you</p>
<p style="text-align: right;">123</p> <p>1 activities?</p> <p>2 A Yes, I am.</p> <p>3 Q Do you have any out-of-pocket expenses</p> <p>4 related to this incident?</p> <p>5 A No.</p> <p>6 Q As you mentioned earlier, you drink</p> <p>7 alcohol occasionally; correct?</p> <p>8 A I do.</p> <p>9 Q How much in an average week do you</p> <p>10 drink?</p> <p>11 A On an average, I would probably have</p> <p>12 three glasses of wine a week. I do not drink wine</p> <p>13 with every dinner meal. I normally do not drink</p> <p>14 at home for meals, any meal unless we have guests,</p> <p>15 and at which time, I will have one or two glasses</p> <p>16 of -- of wine.</p> <p>17 Q Okay. And your drinking habits haven't</p> <p>18 changed as a result of this incident?</p> <p>19 A No. They've lessened, actually.</p> <p>20 Q And have you ever had any -- have you</p> <p>21 been involved in any prior lawsuits?</p> <p>22 A No.</p> <p>23 Q Have you ever been involved in any</p> <p>24 trip-and-fall incidents?</p> <p>25 A Any?</p>	<p style="text-align: right;">125</p> <p>1 seek any treatment or any psychological care or</p> <p>2 anything like that?</p> <p>3 A I was eight years old, we were a poor</p> <p>4 family, no. I was a kid. Kids bounce back</p> <p>5 rapidly; don't they?</p> <p>6 Q What about surgery? Have you ever had</p> <p>7 any surgery in the past?</p> <p>8 A I have had a colon biopsy, I have had a</p> <p>9 D and C, I had tonsil -- tonsillitis. Other than</p> <p>10 that, no, I have not had surgery. I still have my</p> <p>11 appendix.</p> <p>12 Q Okay. And have you ever been</p> <p>13 hospitalized?</p> <p>14 A For the D and C and for the colon</p> <p>15 biopsy.</p> <p>16 Q Any other times?</p> <p>17 A Not that I can recall. I very rarely --</p> <p>18 I try to take care of myself, so that I can live</p> <p>19 to the age that my mother-in-law did, which was</p> <p>20 104.</p> <p>21 Q Wow.</p> <p>22 A Yeah. And so, you know, we are very</p> <p>23 aware of our health and make sure that we eat</p> <p>24 properly and take care of our health.</p> <p>25 Q Okay. And what about depression? Have</p>

<p style="text-align: right;">126</p> <p>1 you ever been diagnosed with depression prior to 2 this incident? 3 A No. 4 Q Have you ever treated with any 5 psychiatrists or psychologists prior to this 6 incident? 7 A No. 8 Q What about with PTSD? Have you ever 9 been diagnosed with PTSD prior to this incident? 10 A No. 11 Q Did you ever treat with any 12 psychiatrists or psychologists, with respect to 13 PTSD, prior to this incident? 14 A No. I don't know any psychiatrists or 15 psychologists. 16 Q And was any antianxiety medication -- 17 have you ever taken anything in the past as a 18 result of this incident? 19 A No. 20 Q What about antidepressant medication? 21 A No. 22 Q Other than your attorneys, did you talk 23 to anyone else about the incident? 24 A My husband. 25 Q Anyone else other than your husband?</p>	<p style="text-align: right;">128</p> <p>1 Q And when you say "back and forth," is 2 that back and forth between Florida and Canada? 3 A It is. We go to Detroit, usually, and 4 fly down if we are not taking our own airplane. 5 Q Do you fly Air Canada? 6 A We do fly Air Canada out of Toronto, but 7 fly Delta out of Detroit. 8 Q How many times, approximately, do you 9 think you've traveled between Canada and Florida 10 since the incident? 11 A We came back in November, went back to 12 Canada in April, went back to the U.S. in the end 13 of September and back in October, so there were 14 four flights altogether. Three of them were 15 commercial, that's for individual flights, not 16 round trips, individual flights: four of them -- 17 or three of them. Three out of the four were 18 commercial, one was on our own, on my husband's 19 aircraft. 20 Q Do you have any social media accounts? 21 A I was on Facebook. I'm not on Facebook 22 anymore. I haven't been for quite some time. You 23 can't get rid of them, though off the -- I don't 24 know how to eliminate them. 25 Q Can't delete anything from the Internet.</p>
<p style="text-align: right;">127</p> <p>1 A No. I have not spoken to anyone else 2 other than my husband. And -- and my doctors. 3 Q Did you -- regarding what you discussed 4 with your husband, did you discuss anything that 5 we haven't already mentioned today? 6 A No. No, we tell each other everything. 7 I met my husband when I was 13 years old, so 8 I've -- and we've been married for -- if we make 9 it on November 13th, this year, it'll be 58 years. 10 Q Congratulations. I hope you don't take 11 any offense to this, but have you ever been 12 convicted of a felony or crime or dishonesty? 13 A No, I have not. 14 Q Since the incident took place, have you 15 ever been on any vacations? 16 A We went to Italy and Croatia in the 17 spring of 2023 and we are -- have one upcoming. 18 Leaving October the 29th. 19 Q And that's to India? 20 A Yes, it is. 21 Q Other than Italy, Croatia, and the 22 upcoming trip to India, have you traveled anywhere 23 else since the incident? 24 A Not since the incident, other than back 25 and forth to Canada.</p>	<p style="text-align: right;">129</p> <p>1 A And I was part of a -- in Florida Next 2 Door, which is a, kind of telling you what's going 3 on in the area -- even -- I don't know whether you 4 know what Next Door is -- it's a -- oh, you do, 5 okay. So I don't need to explain. But I -- I 6 don't check in with that very much anymore. I 7 don't read any of their postings or anything. 8 Q Is there anything -- or scratch that. 9 Have you posted anything on Facebook since the 10 incident? 11 A No. I don't believe I have. I believe 12 I was finished with Facebook before that. I don't 13 recall when I quit Facebook, but it was -- started 14 to...I didn't like what was going on with the 15 background noise with -- especially in the local 16 area of people nattering at each other and being 17 upset with each other, so I decided it was a waste 18 of my time and energy. 19 Q Okay. I'm going to share my screen with 20 you, it's just going to be Defendant's Exhibit 6, 21 I believe. 22 (Exhibit 6 was marked for 23 identification.) 24 BY MR. THORNTON: 25 Q Let me know when you can see what I've</p>

<p style="text-align: right;">130</p> <p>1 shared.</p> <p>2 A Yes. This is a -- pictures of my</p> <p>3 husband and I. The top one is on the cruise ship</p> <p>4 when we were in Croatia, and we were in Athens; on</p> <p>5 the second, on the right, the top one on the</p> <p>6 right-hand side this is traveling with our</p> <p>7 friends. Bottom is my husband and I in Italy and</p> <p>8 the bottom right-hand side is with our friends in</p> <p>9 Italy this spring.</p> <p>10 Q This top right one, is this -- say that</p> <p>11 again?</p> <p>12 A The top right with the colorful lanterns</p> <p>13 and stuff?</p> <p>14 Q Yes.</p> <p>15 A There's six, five or six people.</p> <p>16 Q Yeah, where were you?</p> <p>17 A Six of us in there. Yes, we were in</p> <p>18 Athens. That is where we picked up the cruise</p> <p>19 ship. We flew from Venice to Athens and ended up</p> <p>20 doing the Croatian coast, sailing, there were six</p> <p>21 of us sailing. We met up in -- in Athens after --</p> <p>22 four of us were in Italy, and we sailed back up to</p> <p>23 Venice and flew home from Venice.</p> <p>24 Q Okay. And you did this trip with</p> <p>25 friends?</p>	<p style="text-align: right;">132</p> <p>1 Q Well, in the bottom left photo, it looks</p> <p>2 like a selfie; right?</p> <p>3 A No. That's not -- no. That's -- that's</p> <p>4 -- my friend, Lynn, took that photo of us.</p> <p>5 Q Okay. Are all of these photos taken</p> <p>6 on -- scratch that. What device were these photos</p> <p>7 taken on?</p> <p>8 A I don't know.</p> <p>9 Q It says here underneath the date to the</p> <p>10 --</p> <p>11 A Oh, that's my husband's phone, then,</p> <p>12 iPhone Pro, 11 Pro. That's -- that is David's</p> <p>13 phone.</p> <p>14 Q Okay. And there's an Apple iPhone 14</p> <p>15 here on the bottom left photo of the first page?</p> <p>16 A I don't know. That must be Lynn's phone</p> <p>17 or Tim's. I don't know.</p> <p>18 Q Okay. And then page 2, it looks like --</p> <p>19 well, it looks like these are just duplicate</p> <p>20 photos; is that right?</p> <p>21 A Yes, they are.</p> <p>22 Q Okay. Are there any other photos that</p> <p>23 you have of you on vacation since the incident?</p> <p>24 A No, I haven't -- I didn't take any --</p> <p>25 any photos, really. None of -- I don't take</p>
<p style="text-align: right;">131</p> <p>1 A Yes, two couples.</p> <p>2 Q How long was the cruise?</p> <p>3 A The cruise, I believe, was 10, 12, days.</p> <p>4 I -- I don't recall when it started. We flew to</p> <p>5 Italy the end of May, and we were there for, I</p> <p>6 believe, it was 10 days in Italy, and we flew home</p> <p>7 on the 22 or 23rd of June. So from the 2nd of</p> <p>8 June, I believe it was, so it must have been...</p> <p>9 What's it -- two, three weeks, jeez, it doesn't</p> <p>10 seem like -- I don't know. It --</p> <p>11 Q Okay.</p> <p>12 A Two and a half weeks possibly.</p> <p>13 Q Okay. And just for the record, these</p> <p>14 are documents that you produced in response for</p> <p>15 request for production, which are Bates-stamped as</p> <p>16 Mountain 0027 and Mountain 0028. With respect to</p> <p>17 each photo, they've got a date on them and time.</p> <p>18 Are those the date and time in which each photo</p> <p>19 was taken?</p> <p>20 A Is there a date and time? I can't see</p> <p>21 them. Yes. The date and time, yes. Yes.</p> <p>22 Q And are these all photos that either you</p> <p>23 took or that you requested to have taken?</p> <p>24 A I believe I am in all of the photos, so</p> <p>25 I couldn't have taken them.</p>	<p style="text-align: right;">133</p> <p>1 photos of myself either. I didn't take a lot of</p> <p>2 pics of even countryside or, scenic area, or</p> <p>3 things on that trip. It was -- it was a stressful</p> <p>4 trip for me.</p> <p>5 Q Okay. All right. If -- if you could</p> <p>6 give me about 10 minutes, 5 minutes just to look</p> <p>7 over my notes, I think we might be -- might be</p> <p>8 done. Just want to take a quick break here.</p> <p>9 A Okay.</p> <p>10 Q All right.</p> <p>11 (A recess was taken.)</p> <p>12 BY MR. THORNTON:</p> <p>13 Q Ms. Mountain, we're back after a brief</p> <p>14 break. Are you ready to continue?</p> <p>15 A I am.</p> <p>16 Q Okay. I don't really have much of</p> <p>17 anything left. Do you -- is there anything else</p> <p>18 that we missed or that you'd like to raise</p> <p>19 regarding this incident at all?</p> <p>20 A I don't have any questions after this,</p> <p>21 or I -- I can't -- I can't think of anything that</p> <p>22 I have questions on.</p> <p>23 Q Okay. All right. There's nothing else</p> <p>24 that you wanted to raise or anything else, any</p> <p>25 treatment, any conditions, or anything else that</p>

<p style="text-align: right;">134</p> <p>1 we might not have already discussed?</p> <p>2 A Not that I'm aware of at this time, no.</p> <p>3 Q Okay. Well, I don't have any further</p> <p>4 questions right now. Ms. Mountain, thank you very</p> <p>5 much for your time today. I may have some</p> <p>6 follow-ups, depending on if your attorney asks you</p> <p>7 anything, but if not, then I greatly appreciate</p> <p>8 your time, and thanks for making yourself</p> <p>9 available.</p> <p>10 A Okay.</p> <p>11 MR. MONTALVO: I have no questions.</p> <p>12 We're done with Ms. Mountain.</p> <p>13 THE WITNESS: Do you have questions?</p> <p>14 MR. MONTALVO: I have no questions,</p> <p>15 you're free to go.</p> <p>16 THE WITNESS: Okay. But do you have</p> <p>17 questions for my husband, then?</p> <p>18 MR. THORNTON: Yes.</p> <p>19 THE WITNESS: Oh, okay, so I'll leave</p> <p>20 and let them continue.</p> <p>21 MR. MONTALVO: Thank you.</p> <p>22 THE WITNESS: Thanks, Jim.</p> <p>23 MR. THORNTON: Sydney, we'd like to get</p> <p>24 a copy of that transcript. E-tran copy is fine</p> <p>25 and normal time, please.</p>	<p style="text-align: right;">136</p> <p>1 CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC</p> <p>2</p> <p>3 STATE OF FLORIDA)</p> <p>4 COUNTY OF OSCEOLA)</p> <p>5</p> <p>6 I, Sydney Crawford, the officer</p> <p>7 before whom the foregoing deposition was taken, do</p> <p>8 hereby certify that the foregoing transcript is a</p> <p>9 true and correct record of the testimony given;</p> <p>10 that said testimony was taken by me</p> <p>11 stenographically and thereafter reduced to</p> <p>12 typewriting under my direction; that reading and</p> <p>13 signing was requested; and that I am neither</p> <p>14 counsel for related to, nor employed by any of the</p> <p>15 parties to this case and have no interest,</p> <p>16 financial or otherwise, in its outcome.</p> <p>17</p> <p>18  </p> <p>19 Sydney Crawford</p> <p>20 Commission Number: HH 400086</p> <p>21 Commission Expires: 5/18/2027</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">135</p> <p>1 MR. MONTALVO: I will order a copy of</p> <p>2 the transcript.</p> <p>3 (Off the record at 2:11 p.m.)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 ERRATA SHEET</p> <p>2 IN RE: Mountain v. Emirates</p> <p>3 DEPOSITION OF: Lenora Mountain TAKEN: 10/18/2023</p> <p>4 DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES HERE</p> <p>5 PAGE # LINE # CHANGE REASON</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21 Please forward the original signed errata sheet to</p> <p>22 this Office so that copies may be distributed to</p> <p>23 all parties.</p> <p>24 Under penalty of perjury, I declare that</p> <p>25 I have read my Deposition and that it is true and</p> <p>correct subject to any changes in form or</p> <p>substance entered here.</p> <p>DATE: _____ SIGNATURE OF</p> <p>DEPONENT: _____</p>

1 FERNANDEZ & ASSOCIATES
2 COURT REPORTERS
3 444 BRICKELL AVENUE, SUITE 718
4 MIAMI, FL 33131
5 (305) 374-8868
6 November 10, 2023
7 IN RE: Mountain vs. Emirates
8 CASE NO: DEPOSITION OF: Lenora Mountain
9 C/O: HECTOR JAMES MONTALVO
10 Rasco Klock Perez & Nieto, P.L.
11 2555 Ponce de Leon Boulevard
12 Suite 600
13 Coral Gables, Florida 33134

Dear Mr. Montalvo:

11 With reference to the deposition of Lenora
12 Mountain taken in connection with the
13 above-captioned case please find enclosed the
14 transcript of said deposition. Please arrange to
15 have the witness read your copy of the transcript,
16 denoting any corrections by page and line number
17 on the enclosed errata sheet. This errata sheet
18 must be signed by the witness and the original
19 forwarded to Clay Thornton. If this has not been
20 taken care of, however, in 30 days or by the time
21 of trial, whichever comes first, it shall then be
22 concluded that the reading, subscribing and notice
23 of filing have been waived.

24 Yours very truly,
25 Sydney Crawford
Court Reporter